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ACCOUNTS AND PAPERS:

FIFTEEN VOLUMES.

—(15.)—

SLAVERY; STATE PAPERS.

Session

19 *February*—10 *September* 1835.

VOL. LI.

WITH
NUMERICAL LIST AND GENERAL INDEX TO THE WHOLE.

1835.



ACCOUNTS AND PAPERS:

1835.

FIFTEEN VOLUMES:—CONTENTS OF THE FIFTEENTH VOLUME.

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CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS,

RELATING TO

THE SLAVE TRADE.

1834.

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CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS,

• AT

SIERRA LEONE, THE HAVANA,

RIO DE JANEIRO, AND SURINAM,

RELATING TO

THE SLAVE TRADE.

1834.

*Presented to both Houses of Parliament, by Command of his Majesty,
1835.*

LONDON:

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FOR HIS MAJESTY'S STATIONERY OFFICE.

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Class A.

CORRESPONDENCE

WITH THE

BRITISH COMMISSIONERS.

SIERRA LEONE. (*General.*)

No. 1.

Sir George Shee to Mr. W. W. Lewis.

SIR,

Foreign Office, 6th January, 1834.

VISCOUNT PALMERSTON has received your Letter of the 15th of August last, and I am directed by his Lordship to state to you, that, under the circumstances which you mention, Lord Palmerston consents to grant to you permission to return to England in the present year, for a period of 6 months, should the state of your health continue to require it.

You are aware that your salary will be diminished by one-half during your absence, and that the period of your absence cannot be counted as that actual service at your post, in consideration of which a Pension may eventually be granted to you.

I am, &c.

(Signed) G. SHEE.

W. W. Lewis, Esq.

Registrar to the Courts of Mixed Commission, Sierra Leone.

No. 2.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 28, 1834.)

MY LORD,

Sierra Leone, 24th September, 1833.

WE have had the honour to receive your Lordship's Despatch of the 2d July, enclosing, for our information, the Copies of 2 Despatches, in which your Lordship conveyed to His Majesty's Ministers at Madrid and Rio de Janeiro the directions of His Majesty, that the adoption of a stipulation for condemning vessels on the ground of their being equipped for the Slave Trade may be urged in the strongest manner upon the Governments of Spain and of Brazil.

We most sincerely hope that this last appeal of the British Government to that of Spain will arouse it from the apathy which has hitherto marked its conduct in regard to the real suppression of the Slave Trade; and that that Nation will at length vindicate its good faith by adopting the proposal made to it by His Majesty, and thus faithfully fulfil the object of the Treaty of 1817, which has to this time been so flagrantly violated by its subjects.

The facts contained in our Despatch to your Lordship of the 18th of last July will still further prove, if further proof be necessary, that nothing short of the concurrence of Spain to such a stipulation can really put an end to a traffic which she professes to hold in abhorrence, and which she has entered into solemn engagements to suppress.

We are happy to learn that the Brazilian Government is willing to propose to its Legislative Assembly to enter into a similar regulation; and we trust that the day is not far distant when His Majesty's Government may be enabled to obtain the consent of Portugal to a like measure.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

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No. 3.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 3.)

MY LORD,

Sierra Leone, 6th January, 1834.

WE have the honour to transmit enclosed to your Lordship a list of all the Cases adjudicated during the year 1833, in the British and Spanish, and British and Portuguese, Mixed Courts, established in this Colony. No Case was brought in that period before either the British and Netherlands, or the British and Brazilian, Courts.

Eight Cases were adjudicated in the past year, and 1,838 slaves were emancipated, of which number 1,836 were registered, 2 having died after emancipation, but before registration. From the establishment of the Mixed Courts, in June, 1819 (14½ years ago), up to the 1st instant, 196 vessels have been adjudged by them; and 29,535 Africans emancipated from slavery.

With reference to the enclosed Return we have to draw your Lordship's notice to the number of Spanish vessels which have been condemned for slaving in the past year, and which, being the average number that have been condemned here in former years, would show that there has been, under the flag of Spain, no diminution in that traffic.

By the cholera, which has lately carried off some thousands of the slaves in Cuba, and nearly depopulated, as we learn, several estates, an extensive demand for slaves has been created; and we feel confident that the demand will be met by a corresponding supply, and that the traffic in slaves, for years to come, will be pursued with the greatest energy by Spanish vessels, should the present provisions of the Treaty with Spain for its repression remain unaltered. Seven vessels under the Spanish flag were, 3 months ago, trading for slaves in one river alone—that of Calabar; and 22 ships, almost all of the same Nation, were boarded about the same period, by Lieutenant Josiah Thompson, then in command of His Majesty's Sloop "Trinculo," now commanding His Majesty's Brig "Brisk," some of which had their water and their fuel in, and their platforms laid for the reception of slaves.

The Portuguese slave vessels, the "*Rosa*," "*Hebe*," and "*Virtude*," that have, within the last 3 years, been condemned here for slaving, were all bound to Cuba, into which island, during late years, we believe, French vessels imported great numbers of slaves from Africa. We have, however, pleasure in acquainting your Lordship that we have been informed that the flag of France has not been met with lately on this coast in connection with slaving, the Treaty between France and Great Britain having apparently put an end thereto. It has, however, always been found that when, by effectual remedies applied, the Slave Trade has been suppressed under one flag, it rears its head under another. A signal proof of the truth of this remark is now afforded by Portugal, the first Nation that entered into a Treaty with Great Britain for the repression of that traffic.

The traffic in slaves under the Portuguese flag, which for years past has been almost unheard of, appears now to be carried on to as great an extent as it was before Brazil ceased to belong to Portugal.

We have been informed that 30 Portuguese vessels were a short time past engaged in slaving in the Bights of Benin and Biafra, and the rivers emptying themselves therein; and we are of opinion that the destination of those vessels would be to the Island of Cuba. To the flag of Portugal has thus been transferred the carrying of slaves, which had been so successful under that of France.

There is, however, amidst this evil, hope for the future; for as we have proof that the Slave Trade has been suppressed under the flags of the Netherlands and France, owing to the preventive measures adopted by those Powers in concert with Great Britain, if the Equipment Article, which has been so signally efficacious in other instances, be conceded by Spain, by Portugal, and by Brazil, as we ardently trust it shortly will be, in a brief period thereafter the trade in slaves, under the Flags of those Nations, would be annihilated on the western coast of Africa.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right-Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 3.

A List of Cases adjudged, in the Courts of Mixed Commissions established at Sierra Leone, betwixt the 1st of January, 1833, and the 1st of January, 1834.

Number of Cases adjudged between June 1834. and 1st Jan. 1834.	Number of Vessels liberated between June 1834. and 1st of Jan. 1834.	Number of Cases adjudged between 1st Jan. 1833 and 1st Jan. 1834.	NATION.	NAME of VESSEL.	CLASS.	CONDEMNED.	LIBERATED.	Number of Slaves on board at the time of capture.	Number of Slaves emancipated.	Number of Slaves emancipated and registered.	REMARKS.
189		1	Spanish.	Deseñaño . .	Schooner .	Condemned	. . .	220	209	209	Total number of slaves emancipated and registered here between June, 1819, and 1st January, 1833. . . . 26,156
190		2		Veloz Mariana	Ditto . . .	Ditto	. . .	290	265	255	Total number of slaves emancipated and not registered here, between June, 1819, and 1st January, 1833, for reasons assigned in previous Returns +1,541
191		3		Indio	Sloop . . .	Ditto	. . .	117	108	108	Total number of slaves emancipated between 1st January, 1833, and 1st January, 1834 1,838
192		4		Josefa	Brig	Ditto	. . .	278	193*	191	Total number of slaves emancipated between June 1819, and 1st January, 1834 29,535
193		5		Segunda Socorro	Schooner .	Ditto	. . .	307	307	307	Of which number there has not been registered here, as appears by foregoing remarks 1,543
194		6		Caridad . . .	Ditto . . .	Ditto	. . .	112	107	107	Total number registered up to this date 27,992
195		7		El Primo . .	Brig	Ditto	. . .	343	335	335	
196		8	Portuguese.	Virtude . . .	Brigantine	Ditto	. . .	350	314	314	
								2,017	1,838	1,836	

* One man and one boy died prior to their descriptions being taken to be registered.

viz. + 1,541
2
1,543

Sierra Leone, 1st January, 1834.
WALTER W. LEWIS, Registrar.

(Signed) WM. SMITH.
H. W. MACAULAY.

(Signed)

No. 4.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 3.)
 My LORD, *Sierra Leone, 6th January, 1834.*

WE have the honour to enclose herein, for your Lordship's information, a certified Copy of the List of Slaves registered by the Mixed Courts in this Colony during the last half-year. The number so registered was 1,063.

We have, &c.

(Signed)

WM. SMITH.
 H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

Enclosure in No. 4.—(Abstract.)

	Number registered.	Number died before registration, but emancipated.	Number emancipated.
Segunda Soçorro .	307	"	307
Caridad	107	"	107
Virtude	314	"	314
El Primo	335	"	335
	1,063	"	1,063

(Mem.)—Number registered up to the 5th July, 1833 26,929
 Number registered from the 5th July, 1833, to the 5th January, 1834 1,063
 Total 27,992

6th January, 1834.

(Signed)

WALTER W. LEWIS, Registrar.

No. 5.

Mr. W. W. Lewis to Sir G. Shee.—(Received May 7.)

SIR,

Sierra Leone, 22d March, 1834.

I HAD the honour, on the 4th instant, of receiving your Letter of the 6th of January last, conveying Lord Palmerston's permission for my returning to England in the present year, for a period of 6 months; should the state of my health continue to require it; and I now beg leave herewith to submit to you, Sir, for his Lordship's consideration, a Copy of the Colonial Surgeon's opinion as to the necessity of my having an early change of climate, and respectfully to state, that in consequence of the opinion alluded to, I purpose availing myself, in a few weeks from this time, of the leave of absence which Lord Palmerston has been so kind as to afford me.

I should have transmitted a medical Certificate with my application for leave of absence, in August last, to his Lordship, had not the Colonial Surgeon, who has been my medical adviser for the last 7 years, been absent from the Colony at the time in question.

I have, &c.

(Signed)

WALTER W. LEWIS.

Sir George Shee, Bart.
 &c. &c.

Enclosure in No. 5.

SIR,

Freetown, Sierra Leone, 20th March, 1834.

I BEG to acknowledge the receipt of your Letter of yesterday's date, requesting my medical opinion as to the probable safety, or otherwise, of your encountering the ensuing rains in your present state of health.

In reply, I beg to state, that having fully considered the nature and extent of your late and present ailments, and referring also to the many very serious attacks of disease under which you have, from

time to time, suffered during now nearly 7 years, that I have served in this Colony, I do consider it absolutely necessary, for the renovation of your constitution, and the restoration of your health, that you quit this Colony for Europe previously to the setting in of the heavy rains.

I am, &c.

(Signed)

J. BOYLE, Col. Surgeon.

W. W. Lewis, Esq.
&c. &c. &c.

No. 6.

His Majesty's Commissioner to Viscount Palmerston.—(Received July 3.)

MY LORD, *Sierra Leone, 29th April, 1834.*

I HAVE the honour to report to your Lordship the departure for England, on Sunday last, the 27th instant, of William Smith, Esq., His Majesty's Commissary Judge.

On the following morning, his Excellency, Octavius Temple, the Lieutenant-Governor, took, before his Honour the Chief Justice, (he being the principal Magistrate in the Colony,) the prescribed oaths for the due performance of his duties as His Majesty's Commissary Judge, *ad interim*, in the several Courts of Mixed Commission established at this place for the suppression of the illicit traffic in slaves, in accordance with the 54th and 55th sections of the Slave Trade Abolition Act.

A sitting of all the Courts was this day held, for the purpose of installing his Excellency in his new office.

I have, &c.

(Signed)

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

No. 7.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, July 8, 1834.

I HEREWITH transmit to you, for your information, 12 Copies of Papers, marked A and B, relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.

(Signed)

PALMERSTON.

To His Majesty's Commissioners,
&c. &c. &c.

No. 8.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 11.)

MY LORD, *Sierra Leone, 20th May, 1834.*

WE have the honour to inform your Lordship that Walter William Lewis, Esq., the Registrar to the several Courts of Mixed Commission established in this Colony for the suppression of illicit traffic in slaves, acting upon your Lordship's permission to return to England, sailed from this place yesterday; and that John Salter, Esq., Agent Victualler, has been appointed to fill his situation during his absence by his Excellency the Governor, in accordance with the 54th section of the Slave Abolition Act.

We have, &c.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

No. 9.

His Majesty's Commissioners to Viscount Palmerston.—(Received September 12.)

MY LORD, *Sierra Leone, 5th July, 1834.*

WE have the honour to forward herewith to your Lordship a certified Copy of the List of Slaves registered by the Courts of Mixed Commission here, in the period from the 5th January, 1834, to this date.

The number so registered was 968, and the number emancipated in that time was 1,077. One slave died between the period of emancipation and registration. Fifty-four slaves from the Portuguese schooner "*Apta*," and 54 other slaves from the Portuguese schooner "*Santissimo Rozario e Bom Jezuz*," were landed at Fernando Po, and emancipated by a decree of the British and Portuguese Court, but not registered at this place.

The number of slaves who have been registered here, from the establishment of the Courts of Mixed Commission, up to this date, is 28,960; the number who have been emancipated in the same time is 30,612.

We have, &c.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 9.—(*Abstract.*)

	Number registered.	Number died before registration, but emancipated.	Number emancipated.
Vengador	376	"	376
Carolina	323	"	323
La Pantica	269	1	270
	968	1	969

Mem.)—Number registered up to the 5th January, 1834 27,992
Number registered from the 5th January to the 5th July, 1834 968

Total 28,960

N.B.—In addition to the foregoing List of emancipated slaves, registered in the period set forth, there were 54 other slaves seized on board of the Portuguese schooner "*Apta*," and 54 other slaves seized on board the Portuguese schooner "*Santissimo Rozario e Bom Jezuz*," (or the survivors of them,) likewise emancipated by Decrees of the Court of Mixed Commission, but not registered in this office, from their having been landed and detained at Fernando Po.

(Signed)

JOHN SALTER, A.R.

Registry Office, Sierra Leone, 5th July, 1834.

No. 10.

His Majesty's Commissioner to Viscount Palmerston.—(*Received September 12.*)

MY LORD,

Sierra Leone, 5th July, 1834.

ON the 30th ultimo, the melancholy duty devolved upon his Excellency Lieutenant-Governor Temple and myself, of announcing to your Lordship the death of our friend and colleague, the Brazilian Commissary Judge.

Since that time we have lost the services of Mr. B. H. Hardisty, the second clerk of His Majesty's Commissioners, who is suffering from a severe attack of the fever of this country.

The months of June, July, and August have ever been found the most fatal in this climate; and I beg leave most respectfully to solicit your Lordship to grant me the same indulgence which has been granted to my colleague, William Smith, Esq., and permit me to leave Sierra Leone during the aforesaid months in each ensuing year, should my medical adviser urge the danger of my remaining here at that unhealthy period.

On the 20th February, 1835, I shall have served 3 years actually at my post, and at that time shall have been a resident in this Colony more than 5 years.

I have, &c.

(Signed)

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 11.

His Majesty's Commissioners to Viscount Palmerston.—(Received September 12.)

MY LORD,

Sierra Leone, 10th July, 1834.

WE have the honour to acknowledge the receipt, yesterday evening, *viâ* Gambia, of your Lordship's Despatch of the 7th March, 1834, enclosing, for our information, the Copy of a Despatch, with its Enclosures, received from His Majesty's Commissioners at the Havana, containing their general report upon the Slave Trade of the Havana for the year 1833; and we beg leave respectfully to thank your Lordship for that communication.

The Havana Commissioners state that, out of the 31 slave vessels comprised in their first Enclosure, which sailed from the Havana in the year 1832, the fate of 6 remains to be ascertained. Of the 6 vessels thus referred to, the Spanish schooner "*Desengaño*," Francisco Loureiro, master, was condemned in the British and Spanish court, established in this Colony, on the 11th April, 1832; the Spanish schooner "*Velox*," alias "*Velox Mariana*," was condemned here on the 31st May, 1833; and the Spanish schooner "*Segunda Socorro*" was condemned by us on the 17th July, 1833.

From the List No. 2, of the 38 slave vessels which sailed from the port of Havana for Africa during the year 1833, the Spanish brig "*Vengador*" (No. 16 on the List), of which Pedro Badia was master, was condemned in this place on the 21st of February last; the Spanish brigantine "*Carolina*" was condemned by us on the 22d March last; and the Spanish schooner "*Pantica*" on the 4th instant.

We have thus the satisfaction to state, that 6 of those vessels, whose fate was unknown to the Havana Commissioners at the time when their Despatch was written, have been condemned in the Mixed Commission Court established in this Colony, and their surviving slaves, to the number of 1,750, have been emancipated from slavery.

In these Lists we recognize the names both of individuals and vessels which are well known on this coast, in connection with the Slave Trade.

Antonio Ferreyra, who was master of the "*Prueba*" when she was condemned here on the 5th June, 1832, appears to have subsequently made a successful slave trading voyage in the brig "*Alerta*."

Fortunato Romero, who made a successful voyage in the "*Segunda Gallega*," in October, 1832, was captured in April, 1833, whilst in command of the "*Velox Mariana*," and again shortly afterwards, whilst a passenger on board the "*Segunda Socorro*."

Pedro Badia, as master of the "*Abencerrage*," completed a slave voyage to the Havana in December, 1832, but was captured in the month of January of this year, in command of the "*Vengador*."

Juan Pinto, master of the brig "*Carolina*," carried a cargo of slaves to the Havana in April, 1833, but was captured in the same vessel in February last.

Jozé Carbo, who commanded the "*Volador*," which arrived at the Havana with slaves on the 11th June, 1833, also commanded the schooner "*Pantica*," captured on the 27th April last.

Juan Ramundo Verger, who sailed from the Havana 21st April, 1833, in the Spanish schooner, "*Joaquina*," and was captured, with 329 slaves on board, by His Majesty's schooner, "*Nimble*," is the same person who was captured in company of the "*Frasquita*," alias "*Centella*," on the 15th February, 1832.

These facts undoubtedly prove the system and extent of the Spanish Slave Trade, and the protection and connivance which it receives from the Spanish Authorities: they show the necessity of opposing the skill and experience of the slave traders by the adoption of a measure which we have frequently referred to, as being, in our opinion, the sure and only means by which such Slave Trade will be effectually repressed—we mean the addition of the *Equipment Article* to our present Slave Treaty with Spain.

We have, &c.

(Signed)

OCT. TEMPLE.
H. W. MACAULAY*The Right Hon. Viscount Palmerston, G.C.B.*

&c. &c. &c.

No. 12.

His Majesty's Commissioner to Viscount Palmerston.—(Received Sept. 30.)

MY LORD,

Sierra Leone, 14th August, 1834.

THE melancholy duty has again devolved upon me of informing your Lordship of another loss which the Courts of Mixed Commission and His Majesty's service have sustained, in the death of his Excellency, Octavius Temple, Lieutenant-Governor of this Colony, and His Majesty's Commissary Judge, *ad interim*, in the absence of William Smith, Esq. in England.

This deplorable event occurred yesterday morning, and has occasioned universal and heartfelt regret.

The official intercourse which necessarily took place between the late Governor and His Majesty's Commissioners was always marked by kindness and courtesy on his part—a line of conduct which I have lately had occasion more particularly to observe, since I became united with him in carrying on the business of the Mixed Courts.

Mr. Thomas Cole, the Colonial Secretary, having become Acting Governor of the Colony, was sworn in as such yesterday, and this morning he took the prescribed oaths as His Britannic Majesty's Commissary Judge, *ad interim*, in the several Courts of Mixed Commission established at this place for the suppression of illicit traffic in slaves, before His Honour the Chief Justice, in accordance with the 38th, 54th, and 55th, clauses of the Slave Abolition Act.

There are at present 2 Cases before the Courts, one of which will be adjudicated almost immediately, and, until then, the installation of his Honour, the Acting Governor, in his new office, has been deferred.

I have, &c.

(Signed)

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

No. 13.

(CIRCULAR.)

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 17th November, 1833.

THE King having been pleased to confer the Seals of the office of His Majesty's Principal Secretary of State for Foreign Affairs on the Duke of Wellington, I have to desire that you will henceforth address your Despatches and Letters on public business to his Grace.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners,

&c. &c. &c.

No. 14.

(CIRCULAR.)

The Duke of Wellington to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, November 17, 1834.

I HAVE to acquaint you that the King has been pleased to accept of Viscount Palmerston's resignation of the office of His Majesty's Principal Secretary of State for Foreign Affairs.

I am to desire that you will, until further arrangements shall be made, address to me your Despatches and Letters on public business, to be laid before the King; and you will receive from me such orders and instructions as His Majesty shall think proper to give for your guidance and direction.

I am, &c.

(Signed)

WELLINGTON.

His Majesty's Commissioners,

&c. &c. &c.

SIERRA LEONE. (*Spain.*)

No. 15.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 28, 1834.)

MY LORD,

Sierra Leone, 21st October, 1833.

WE have the honour to enclose herein, for your Lordship's information, our Report of the Case of the Spanish schooner, "*Caridad*," Antonio Fortunato, Master, which vessel, having a cargo of 112 slaves on board, and bound from the River Bonny to St. Jago de Cuba, was detained, on the 18th of last month, by His Majesty's brig, "*Trinculo*," Richard Warren, Esq., Acting Commander, and condemned by us, on the 19th instant.

Notwithstanding the affidavit of the Master of the "*Caridad*," that he was the sole Owner of both that vessel and her cargo of slaves, we are strongly inclined to believe that American, and perhaps French, interests were vested in the "*Caridad's*" adventure; and we have been led to draw this conclusion from the following circumstances:—

The "*Caridad*," on her way from Cuba to the Coast of Africa, put into the Port of Norfolk, in the United States, for the purpose, as the Master alleges, of repairing some damage which she had sustained. This explanation of the reason of the "*Caridad's*" going into Norfolk rests upon the Master's unsupported testimony, to which we cannot give implicit credence, as the real name of the individual on board of her, who is called Don Manuel, has been proved to be Samuel Holmes; in whose chest were found 2 certificates, from Masonic Lodges in New York, dated the 5th and 6th of April, 1832, of his being a Master Mason.

This individual, according to the deposition of the Master of the "*Caridad*," being an American, and a passenger from the Island of Cuba, but whom we suppose to have been the supercargo, together with the "*Caridad's*" having gone into Norfolk, give, we think, an appearance of American interests having been engaged in her voyage; whilst the fact of the outward-bound cargo of merchandise laden on board thereof having been shipped and passed through the Custom House at St. Jago de Cuba, by the house of Ronsseau and Company, of that place, leads us to suppose, that French interests were also combined therein.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 15.

Report of the Case of the Spanish schooner, "Caridad," Antonio Fortunato, Master.

THE Spanish schooner, "*Caridad*," commanded by Antonio Fortunato, was furnished with a Commercial Passport, dated at St. Jago de Cuba, on the 20th of April, 1833, which authorized her to proceed on a lawful trading voyage to the Island of Princes.

Having taken her departure for the Coast of Africa, she, in her voyage thither, put into the Port of Norfolk, Virginia, in the United States, to repair some damage it is alleged she had sustained; and she quitted Norfolk on the 6th of June following, and went direct to Whydah, in the Bight of Benin, and from thence to the River Bonny. A cargo of slaves having been obtained in that River, the "*Caridad*" was on her return voyage to St. Jago de Cuba when, on the 18th of September last, she was detained in or about latitude $0^{\circ} 42'$ North, longitude $9^{\circ} 05'$ East, by His Majesty's brig, "*Trinculo*," Richard Warren, Esq., Acting Commander.

The "*Caridad*" arrived in this harbour on the evening of the 10th of October, with 108 slaves,

C

principally children, on board, 4 having died on the passage hither. On the following morning, the Medical Attendant visited the slaves, and reported that they were generally healthy, with the exception of 2 cases of dysentery, 5 of ophthalmia, and a few of "crawl-crawl;" he, however, recommended their being landed as soon as possible, to prevent an expansion of disease; they were accordingly landed on the 12th instant; Acting Governor Melville having consented to receive them in charge, until the vessel should be adjudged.

The ship's papers of the "*Caridad*" were, on the 12th instant, brought into Court and filed, duly authenticated by the affidavit of Mr. John Hollinworth, the Prize Master. The Monition, as usual, was, on the same day, issued, and it was returned into Court, certified by the Marshal to have been duly served, on the 19th instant.

On the 14th of October, the Master, Antonio Fortunato, the only witness, was examined on the standing Interrogatories. He deposed, "that he was born at Naples; is now a Spanish subject, but formerly was a subject of the King of Naples; is a married man, and resides with his family at St. Jago de Cuba; that he appointed himself to the command of the detained vessel, being the Owner thereof, and that he purchased her about 6 months since of a Captain Roche, a native of New Orleans; that the said vessel was seized for having slaves on board, whilst sailing under Spanish colours; that the name of the detained vessel is "*La Caridad*," which is the only one he has known her to have, and that he was the sole Owner of the said vessel and of the cargo; that there was one passenger on board the detained vessel, shipped at Cuba for conveyance to the Island of Princes; his name is Don Manuel, and is an American subject; that the said passenger remained on board, and was on his return to Cuba; that the present voyage began, and was to have ended, at St. Jago de Cuba; that the detained vessel touched at Norfolk, in the United States, to undergo repairs, which was also the last clearing Port the vessel sailed from previous to capture; from thence the vessel went to the Bonny, having touched at Whydah for water; that he went direct to the Bonny for a cargo of slaves; that the said vessel was detained on the evening of the 18th of September last, off the Island of St. Thomas, on the Equator, after a chase which had continued the whole of the day; that he was the Owner, Lader, and Consignee, of the cargo of the detained vessel, which consisted of 112 slaves, shipped from the shore at the Bonny."

The Proctor for the Captor, on the 15th, prayed for and obtained leave to file an Affidavit of the Prize Master, Mr. John Hollinworth, accounting for only one witness being produced to give evidence in this case; Mr. Hollinworth therein deposed, "that the schooner, '*Caridad*,' was captured on the night of the 18th of September last, and that he, deponent, was ordered, immediately after she was detained, to take charge of and proceed with her to Sierra Leone for adjudication; that at the time he joined the said schooner she was in so confused a state, that he was not able to ascertain how many of the detained crew had been left on board before he parted company with the '*Trinculo*;' but he had been previously informed by Commander Warren, that the Master and the Cook were in the said schooner; and it was not until the following morning he found that the Master was the only one of the detained crew on board of her; that 5 days after the capture of the said schooner he again fell in with the '*Trinculo*,' when he (the deponent) applied for the Cook, supposing in the hurry of their departure he had been taken on board, but deponent was then told, that the Cook had been left on board the detained vessel at the time of seizure; and that the remainder of the crew had been since transferred from the '*Trinculo*' to His Majesty's brig, '*Curlew*,' which circumstance prevented another witness being sent up in his place; that he can in no other way account for the absence of the said Cook than by supposing he may have fallen overboard after capture, as he believes that the greater part of the crew of the said schooner, when detained, were in a state of extreme intoxication."

Although the Court could have wished that more evidence had been before it, yet the "*Caridad*," having been detained in the very act of carrying on an illicit traffic in slaves, supported as that fact was by the deposition of so important a witness as the Master, the sole Owner, as he also swore, of both vessel and cargo, the Court did not hesitate to proceed on the proofs before it; and therefore, on the 19th instant, condemned the "*Caridad*" as good and lawful Prize to the Crowns of Great Britain and Spain.

The Court at the same time decreed 107 slaves, captured on board that vessel, (one having died on shore here, making 5 deaths before adjudication,) to be emancipated from slavery.

(Signed) WM. SMITH.
H. W. MACAULAY.

Sierra Leone, 21st October, 1833.

No. 16.

His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 25, 1834.)

MY LORD,

Sierra Leonè, 14th December, 1833.

WE have the honour to report to your Lordship the arrival here, on the 3d instant, of the Spanish brig, "*El Primo*," Ignacio Calvet, Master, having on board a cargo of slaves, with which she was bound from the River Bonny to St. Jago de Cuba, when detained, on the 28th of October last, in latitude 2° 37" North, longitude 6° 36" East, by His Majesty's ship, "*Isis*," Captain James Polkinghorne commanding.

The fact of slave dealing having been unequivocally established against the "*Primo*," she was condemned by us on the 10th instant, and the surviving slaves captured on board of her, were emancipated from slavery and delivered over to this Colonial Government. Our report thereon we enclose herein.

The "*Primo*" cleared out and sailed from Cadiz on her present voyage on the

24th of June of the present year, bound, as her Royal Passport, of the 26th of the previous month of May, says, on a lawful trading voyage to the Islands of Princes and St. Jago de Cuba. Instead, however, of prosecuting a lawful traffic, the "*Primo*" went direct from Cadiz to the Bonny for slaves; and although the Master deposes that he went there to purchase palm-oil, ivory, &c., we look upon that as a subterfuge to conceal what was, in our opinion, the sole and premeditated object of the voyage, that of slaving.

The "*Primo*" was fitted for the Slave Trade in the Port of Cadiz; and the fact that such illicit adventures are unopposed in the very heart of the greatest seaport of Spain itself, affords a melancholy proof that the Spanish Government, notwithstanding its professions to the contrary, has hitherto taken no effectual step to repress the traffic in slaves.

The lading of the "*Primo*," in her last voyage (as deposed to by Ignacio Calvet), was the produce of Cuba, taken from that Island to Cadiz; but the Registrar elicited from him that the voyage previous to that was from the Coast of Africa to Cuba, with a cargo of 450 slaves, and that he had made in that trade 7 or 8 successful voyages.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 16.

Report of the Case of the Spanish brig, "El Primo," Don Ignacio Calvet, Master.

THIS vessel was furnished with a Royal Passport, dated at Cadiz on the 24th of June, 1833, declaring her to be bound on a lawful commercial voyage from that city to the Islands of Princes and St. Jago de Cuba. She sailed from Cadiz direct to the River Bonny (having in her way thither touched at Whydah), where she took on board a cargo of slaves, with which she was on her way to St. Jago de Cuba when fallen in with and detained, on the 28th of October, 1833, being then in or about latitude $2^{\circ} 37'$ North, longitude $6^{\circ} 36'$ East, by His Majesty's ship, "*Isis*," Captain James Polkinghorne commanding.

The "*Primo*" arrived in this harbour on the 3d instant. The Medical Attendant immediately visited the slaves, and reported that they were generally healthy, the only exception being "craw-craw" and a very few cases of "diarrhoea." As, however, confinement on board a crowded vessel was very injurious to health, he recommended their being landed, and they were accordingly landed on the same day, and delivered into the charge of the Colonial Authorities.

On the 3d of December the ship's papers were brought into Court and filed, being duly authenticated by the Prize Master, Mr. Christopher Richard Airey. The Monition was, on the same day, prayed for, and issued; and it was returned into Court on the 10th instant, certified by the Marshal to have been duly served.

On the 5th the Master, Don Ignacio Calvet, and the Assistant Boatswain, Miguel Segui, were examined on the standing Interrogatories.

Don Ignacio Calvet deposed that "he appointed himself to the command of the detained vessel, being the Owner thereof; that he first saw the said vessel at Marseilles, where he purchased her; believes she is American built; that he (witness) has always been a Spanish subject, was born at Princes, and has resided at Cuba for the last 11 years; that the name of the detained brig is '*El Primo*,' was formerly called '*Brutus*;' that the said vessel was seized for having slaves on board; that he was the sole Owner of the detained vessel and her cargo of slaves, which he intended to place on his estate in Cuba; that there was one passenger on board at the time of capture; he is a little boy; by name Ignacio, son of one Arguanta, a native chief in the Bonny, and was destined for Cuba to receive an education; that the present voyage began at Cadiz, and was to have ended at Cuba; Cadiz was the last clearing port the vessel sailed from previous to capture; that she went to Whydah, and thence to the River Bonny for legitimate trade; but that the present cargo consisted of 342 slaves, shipped from the shore in the Bonny."

Miguel Segui deposed, "that the name of the Master of the detained brig is Don Ignacio Calvet, and that he appointed himself to the command, being the Owner of the said brig; that he believes the Master to be the Owner of the detained vessel and her lading; that he (witness) was Assistant Boatswain in the said vessel; that there was not any passenger on board, unless the boy Ignacio, who was in charge of the said Master, be on board in that capacity; that the said vessel was seized for having a cargo, consisting of 342 slaves on board, shipped from the shore in the River Bonny; that he has only known the detained brig by the name of '*El Primo*;' that the present voyage began at Cadiz, and was to have ended at Cuba; after quitting Cadiz she went to Whydah, and thence to the Bonny to trade for palm-oil; that the Master was the Lader and Owner of the present cargo of slaves, but he does not know who were the Consignees."

The boy, a child, named Kesserombah, alias Ignacio, said to be a passenger, was examined on this point on the 5th of December, when he stated that "the said Master bought him of his father, who lives in the Bonny; his father is a chief in that river, but does not deal in slaves; that he did not see the said Master pay the purchase-money for himself; that he does not like the said Master, and wants

to remain in this colony; that he was branded on shore with P, which he exhibited on his right arm; that he was so branded when many of the slaves who were taken in the said vessel were branded with the same mark, after which he was shipped with the cargo of the said vessel."

The Court having assembled for the adjudication of this Case on the 10th instant, remarked that the artless statement of the boy, Kesserombah, alias Ignacio, established the fullest conviction that he was a slave, and he therefore would be included for emancipation amongst the others captured on board "*El Primo*," which vessel having been engaged, as was unequivocally proved, in the prohibited traffic in slaves at the time of detention, was subject and liable to confiscation. The Court, therefore, condemned "*El Primo*" as good and lawful prize to the Crowns of Great Britain and Spain, and decreed 335 slaves (including in that number the aforesaid boy, Kesserombah), who were captured on board of that vessel, to be emancipated from slavery; 8 having died between the time of capture and condemnation.

(Signed)

WM. SMITH.

H. W. MACAULAY.

Sierra Leone, 4th December, 1833,

No. 17.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 3.)

MY LORD,

Sierra Leone, 6th January, 1834.

WE have the honour to transmit, enclosed, an Abstract of the Proceedings in the British and Spanish Court of Mixed Commission, established in this Colony, during the year ending on the 1st instant.

The number of Cases adjudicated in that Court was 7, all Cases of condemnation; and the number of slaves emancipated was 1524.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 17.

Abstract of Proceedings in the British and Spanish Court of Mixed Commission, established at Sierra Leone, in the period from the 1st of January, 1833, to the 1st of January, 1834.

1. THE Spanish schooner, "*Desengaño*," commanded by Francisco Loureyro, was furnished with a Royal Passport, dated at Havana, on the 27th of September, 1832, authorizing her to proceed on a lawful commercial voyage to the Island of St. Thomas. She proceeded to the River Bonny, where 220 slaves were taken on board, and was on her return to Cuba when detained at the mouth of that river, on the 22d of February, 1833, by His Majesty's brig, "*Charybdis*," Lieutenant Richard Burrough Crawford commanding.

The evidence adduced proved that the "*Desengaño*" was, at the time of capture, engaged in the illicit traffic in slaves. The Court, on the 11th of April, 1833, condemned the "*Desengaño*," as good and lawful prize to the Crowns of Great Britain and Spain, and decreed 209 slaves, the survivors of those captured on board of her, to be emancipated from slavery; 11 having died between the time of capture and condemnation.

2. The "*Veloz Mariana*," sailing under Spanish colours, and commanded by Fortunato Romero, was authorized by a Royal Passport, dated at Havana, on the 2d November, 1832, to proceed on a lawful trading voyage to the Islands of Princes and St. Thomas. She, however, went direct to the New Calabar River, where 290 slaves were shipped, and she was detained, with them on board, in the above river, on the 23d of April, 1833, by His Majesty's brig, "*Curlew*," Henry Dundas Trotter, Esq. commander.

The witnesses deposed that Amarcri, the King of New Calabar, was the Lader and Owner of the negroes (consequently they were slaves) found on board the "*Veloz Mariana*," who were intended to be conveyed to Havana to be taught agriculture and trades. No claim was, however, preferred for the "*Veloz Mariana*."

The Court held that she was engaged in the illicit Slave Trade, and on the 31st of May, 1833, condemned her as good and lawful prize, and emancipated from slavery 265 of her slaves, 25 having died between the period of capture and adjudication.

3. The Spanish sloop, "*Indio*," José Balaguer, Master, was furnished with a Royal Passport, authorizing her to trade for lawful produce to the Island of Princes.

The "*Indio*" sailed direct for the River Bonny, where 117 slaves were taken on board, and she had proceeded with them 4 days, on her return to St. Jago de Cuba, when detained on the 13th of May, 1833, by His Majesty's ship, "*Favourite*," Captain Joseph Harrison commanding. The evidence fully established the fact of the "*Indio's*" employment in the Slave Trade; and the Court, at its sitting, on the 22d of June last, pronounced the "*Indio*" to be a lawful prize, and decreed 108 slaves, who were captured on board, to be emancipated from slavery; 9 having died between the time of detention and condemnation.

4. The brig, "*Josefa*," Francisco Józés Buigas, Master, sailing under Spanish colours, was detained with a cargo of slaves on board, on the 5th of May, 1833, in latitude $3^{\circ} 58' 42''$ North, longitude $7^{\circ} 27' 39''$ East, by His Majesty's steamer, "*Pluto*," Lieutenant Thomas Ross Sullivan commanding.

The evidence fully proved that the "*Josefa*" had shipped her slaves in the River Bonny on the 4th of May, and was bound with them to St. Jago de Cuba. The Court accordingly, on the 22d of June, 1833, condemned the "*Josefa*" as good and lawful prize to the Crowns of Great Britain and Spain; and decreed the emancipation from slavery of 193 slaves, 85 having died between the period of capture and condemnation.

5. The Spanish schooner, "*Segunda Socorro*," Jozé de Inza, Master, having on board 307 slaves, was detained on the 7th of July last, in latitude $6^{\circ} 30'$ North, longitude $12^{\circ} 12'$ West, by His Majesty's brig, "*Trinculo*," Josiah Thompson, Esq., Acting Commander.

The slaves were shipped and owned, as sworn to by the Master, by the following Black Chiefs at Galinas, viz.: Siacco, Manna, Amurah, and Mandingo Lahi. The Court, therefore, on the 17th of July, 1833, condemned the "*Segunda Socorro*" as good and lawful prize, and decreed the 307 slaves captured on board, to be emancipated from slavery.

6. The Spanish schooner, "*Caridad*," commanded by Antonio Fortunato, was furnished with a Royal Commercial Passport, dated at St. Jago de Cuba, on the 20th of April, 1833, which permitted her to trade for lawful commerce to the Island of Princes.

She was on her return from the River Bonny to St. Jago de Cuba, with a cargo of slaves, when on the 18th of September last, being in or about latitude $0^{\circ} 42'$ North, longitude $9^{\circ} 05'$ East, she was detained by His Majesty's brig, "*Trinculo*," Richard Warren, Esq., Acting Commander. The "*Caridad*" having been detained in the act of carrying on a traffic in slaves, and the evidence produced corroborating that fact, the Court, on the 19th of October, 1833, condemned her as good and lawful prize, and emancipated 107 slaves, the survivors of those on board at the time of capture.

7. The Spanish brig, "*El Primo*," under the command of Ignacio Calvet, cleared out and sailed from Cadiz about the 24th of June, 1833, for a legitimate voyage to the Island of Princes, on the coast of Africa and Cuba. She, however, went to the River Bonny, and took in a cargo of slaves, with which she was bound to St. Jago de Cuba, when detained on the 28th of October last, in latitude $2^{\circ} 37'$ North, longitude $6^{\circ} 36'$ East, by His Majesty's ship, "*Isis*," Captain Polkinghorne commanding. The fact that "*El Primo*" was engaged in the Slave Trade at the time of capture led to her condemnation, as good and lawful prize to the Crowns of Great Britain and Spain, on the 10th of December, 1833, and her 335 surviving slaves were on the same day decreed to be emancipated from slavery; 8 having died between the time of capture and adjudication.

(Signed)

WM. SMITH.
H. W. MACAULAY.

Sierra Leone, 6th January, 1834.

No. 18.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 3.)

SIR,

Sierra Leone, 6th January, 1834.

IN pursuance of the 75th clause of an Act passed in the fifth year of the reign of His late Majesty, King George the Fourth, entitled "an Act to amend and consolidate the laws relating to the Abolition of the Slave Trade," we have the honour to enclose, herein, a Return of all the Cases of Spanish vessels adjudicated in the British and Spanish Court of Mixed Commission here from the 1st of July, 1833, to the 1st of January, 1834.

We have, &c.

(Signed)

WM. SMITH.
H. W. MACAULAY.

John Backhouse, Esq.,
&c. &c. &c.

Enclosure in No. 18.

Return of Spanish Vessels adjudicated by the British and Spanish Court of Mixed Commissions, established at Sierra Leone, betwixt the 1st day of July, 1833, and the 1st day of January, 1834.

NAME OF VESSEL.	DATE OF SEIZURE.	WHERE CAPTURED.		PROPERTY SEIZED.	SEIZOR.	DATE OF SENTENCE.	Number of Slaves Captured.	Number died before Adjudication.	Total number Emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the proceeds remain.
		Latitude.	Longitude.								
Segunda Socorro.	1833. 7th July.	6° 30' N.	12° 12' W.	Schooner and 307 slaves.	Josiah Thompson, Esq., H.B.M. ship "Trinculo."	1833. 17th July.	307	"	307	(Condemned for being engaged in the illicit traffic in slaves.)	Vessel and stores sold by Public Auction, and the Proceeds paid in to the Military Chest.
Caridad	18th September.	0° 42' N.	9° 05' E.	Schooner and 112 slaves.	R. L. Warren, Esq., H.B.M. ship "Trinculo."	19th October.	112	5	107	Ditto Ditto	Ditto
El Primo	28th October.	2° 37' N.	6° 36' E.	Brig and 343 slaves.	J. Polkinghorne, Esq., H.B.M. ship "Isis."	10th December.	343	8	335	Ditto Ditto	Ditto

(Signed) WM. SMITH.
H. W. MACAULAY.

Sierra Leone, 1st January, 1834.
(Signed)

WALTER W. LEWIS, Registrar.

No. 19.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, March 17, 1834.

I HEREWITH transmit to you, for your information, the Copy of a Despatch and of its Enclosures, which I have received from His Majesty's Commissioners at the Havana*, containing their general Report upon the Slave Trade of the Havana, for the year 1833.

I am, &c.

(Signed) PALMERSTON.

His Majesty's Commissioners,
&c. &c. &c.

* See No. 65.

No. 20.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 7.)

MY LORD,

Sierra Leone, 22d February, 1834.

WE have now the honour to enclose, for your Lordship's information, our Report of the Case of the Spanish brig, "*Vengador*," Pedro Badia, Master.

The facts connected with the voyage of the "*Vengador*," in the prosecution of which she was captured by His Britannic Majesty's steam-vessel, "*Pluto*," present nothing peculiarly novel. The vessel was furnished with a Royal Commercial Passport, dated at Havana in June, 1833, authorizing her to proceed on a licit voyage to Bahia and St. Thomas. She, however, came direct to the coast of Africa, and eventually took on board, in the River Bonny, a cargo of slaves, with which she was on her return to Cuba, when, shortly after leaving the river, she was detained by the "*Pluto*," and sent up to Sierra Leone for adjudication. She arrived in this harbour on the 13th instant, and was brought into Court on the following day. The proceedings usual in such cases were then gone through; and, it having been proved to the satisfaction of the Court that the "*Vengador*" had been legally captured whilst engaged in the proscribed traffic in slaves, she was, on the 21st instant, condemned as a forfeiture to the Crowns of Great Britain and Spain, and 376 slaves, the survivors of 405, who were on board at the time of her detention, were emancipated from slavery.

During the passage of the "*Vengador*" from the Bonny to this place, 28 slaves died. Of these only 11 died from disease, 17 having jumped overboard and been drowned. On one occasion, particularly, the loss of life in this way would have been much more deplorable but for the exertions of the prize crew, more especially of the Kroomen, who formed a part of it. Suicide, under such circumstances, is an abundant cause of the mortality on board of slave ships, and arises from the opinion entertained by these wretched beings, that after death they will revisit their own country. Almost every vessel that comes before the Court conveys melancholy proof of the prevalence of this idea.

The Master of this very fine Spanish brig, Don Pedro Badia, is well known in connection with such illicit adventures from the Havana, and his name is more than once mentioned by His Majesty's Commissioners in that quarter. On this occasion it is evident that, if he could have persuaded his crew to second his intentions, the most determined resistance would have been made to capture.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

Enclosure in No. 20.

Report of the Case of the Spanish Brig, "Vengador," Pedro Badia, Master.

THE "*Vengador*" was furnished with a Royal Passport, dated at Havana, on the 12th of June, 1833, declaring her to be commanded by Pedro Badia, and authorizing her to proceed on a licit commercial voyage to Bahia and the Island of St. Thomas.

It does not appear that the "*Vengador*" touched at, or cleared out from, either of the places to which her Passport described her to be bound, and one of the witnesses examined declared that she went direct to Whydah from Havana. After leaving Whydah, the "*Vengador*" entered the River Bonny, and took on board a cargo of slaves, with which she was returning to Cuba, when she was

fallen in with and detained, in latitude 4° 1' North, longitude 7° 0' East, off the mouth of the Bonny, on the 8th of January, 1834, by His Britannic Majesty's steam-vessel, "Pluto," Lieutenant Thomas Ross Sullivan commanding.

The "*Vengador*" arrived in this harbour on the evening of the 13th instant, with 377 slaves on board. On the morning of the 14th instant, the Surgeon to the Courts visited the slaves, and reported that about 20 of them laboured under bowel complaint, and that almost all were afflicted with "craw-craw;" and recommended that they should be landed as soon as possible, that they might enjoy the advantages of change of air and medical attendance. This recommendation of the Surgeon was complied with, and a Petition to the same effect, on the same day, by the Proctor of the Captors, was granted, and, on the morning of the 15th instant, the slaves were placed in the liberated African yard, under the custody and superintendence of the Marshal of the Courts, pending adjudication.

On the 14th instant, the Captor's Proctor brought the "*Vengador*" into Court by Petition, and the papers of the vessel, attested by the Affidavit of the Prize Master, Mr. Augustus Gordon, and the declaration of the Captor, were accordingly filed; and the usual Monition, citing all parties interested in the vessel to appear, was issued and returned into Court on the 21st instant, with the Certificate of the Marshal of its having been duly served.

On the 15th instant, the Master of the "*Vengador*," Pedro Badia, was examined on the standing Interrogatories, and deposed that "he was born in Catalonia, lives at Havana, where he has resided for the last 23 years, has always been a Spanish subject—is unmarried, and appointed himself to the command of the detained vessel, which he built at Havana; that he was present when the said vessel was detained for having slaves on board—she sailed under Spanish colours, and had no other colours on board; that the name of the detained vessel is '*Vengador*,' which is the only name she has had; she is 160 tons burthen; there were 3 Officers and 42 Mariners on board, all of whom were Spaniards, with the exception of 5 or 6 Portuguese and 8 Manilla seamen; that the detained vessel and her lading are entirely his property; the present voyage began at Havana, and was to have ended at some Port of Cuba, according to his convenience. Havana was the last clearing Port the vessel sailed from previous to capture. He went from Havana to Brazils, and thence direct to the Bonny; he went into that river to repair two leaks which the vessel had, and it afterwards appeared advantageous to ship slaves; that there were 2 pivot-guns, a 12-pounder, and an 8-pounder, mounted on board; there were also on board 32 muskets, 30 cutlasses, 4 pairs of pistols, and a good supply of ammunition—she was so armed to defend herself against Pirates. He fired at the capturing vessel 7 times, in consequence of being fired at from her and not being able to see her colours; a great many of the arms were thrown overboard by his crew at the time of capture; that he was the Lader, Owner, and Consignee, of the detained vessel and her present cargo, which consisted of 408 slaves shipped in the Bonny."

On the same day Juan Herrera, the Cabin-boy, was examined on the standing Interrogatories, and deposed generally to the same facts as the Master, Pedro Badia. He however stated that "the '*Vengador*' went direct from Havana to Whydah, and subsequently to the Bonny; that part of the crew of the detained vessel fired her guns at the capturing vessel about 5 times, that the remainder of the crew declined fighting, but that the Master gave orders for resisting capture."

On the 17th instant, the Captor's Proctor prayed for leave to file an Affidavit of the Prize Master, Mr. Augustus Gordon, to prove the exact number of slaves on board the '*Vengador*' at the time of her capture, and the exact number of deaths which had taken place amongst them whilst they continued in his charge. From this document it appears that, out of 28 slaves lost on the passage, only 11 died from disease, the others having jumped overboard and been drowned.

On the 21st instant, the Court met for the adjudication of the brig "*Vengador*;" and the evidence taken in the Case having clearly established the fact of the illicit employment of that vessel in the traffic of slaves, at the time of her capture by His Majesty's Britannic Majesty's steam-vessel "Pluto," Lieutenant Thomas Ross Sullivan commanding, the Court condemned her as a good and lawful forfeiture to the Crowns of Great Britain and Spain, decreeing that it had been proved that 405 slaves had been on board at the time of capture, and that the survivors of that number, 376, should be emancipated from slavery; 28 having died on the passage up, and 1 after they were landed, and whilst the proceedings were pending.

Sierra Leone, 22d February, 1834.

(Signed) WM. SMITH.
H. W. MACAULAY.

No. 21.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 7.)

MY LORD,

Sierra Leone, 22d March, 1834.

WE have the honour to inform your Lordship that the Spanish brigantine, "*Carolina*," Juan Pinto, Master, captured by His Majesty's ship, "*Isis*," Captain James Polkinghorne commanding, off Lagos, on the 16th ultimo, was this day condemned in the British and Spanish Court of Mixed Commission, for illicit traffic in slaves; and her surviving slaves, amounting to 320, were emancipated.

A full report of the Case will, as usual, be forwarded to your Lordship by the first conveyance; but we are unwilling to lose the opportunity afforded by the immediate departure of a very fast-sailing brig, late "*El Primo*," and another prize of His Majesty's ship, "*Isis*," of acquainting your Lordship with our proceedings.

We have, &c.
(Signed) WM. SMITH.
H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

No. 22.

His Majesty's Commissioners to Viscount Palmerston.—(*Received June 25.*)

MY LORD,

Sierra Leone, 26th March, 1834.

WE had the honour of addressing your Lordship on the 22d instant, relative to the condemnation, on that day, of the Spanish brigantine, "*Carolina*," Juan Pinto, Master, detained by His Majesty's frigate, "*Isis*," Captain James Polkinghorne commanding, for being engaged in the illicit traffic in slaves. We have now the honour to enclose our Report of the Case, which differs in no respect from the ordinary Cases which come before the British and Spanish Court for adjudication.

The "*Carolina*" was furnished with a Royal Passport, dated on the 17th of March, 1832, and by it she was authorized to proceed on a licit commercial voyage to the Island of St. Thomas. Having touched at Princes Island for water and provisions, she went into the River Lagos for slaves, and was captured with 350 of these wretched beings on board, shortly after leaving Lagos for the Havana, by his Majesty's ship, "*Isis*." She arrived in this harbour on the 13th instant, and came into Court on the following day.

The necessary evidence having been taken, and all the preliminary proceedings closed, the Court met for the adjudication of the "*Carolina*" on the 22d, when she was condemned as good and lawful prize to the Crowns of Great Britain and Spain, having been captured by one of His Majesty's ships authorized to make such seizures, whilst engaged in the Slave Trade, contrary to the provisions of the Treaty between His Britannic Majesty and His Catholic Majesty, signed at Madrid on the 23d of September, 1817. The Court further decreed that 350 slaves were on board the "*Carolina*" at the time of her detention by His Majesty's ship, "*Isis*," and that the survivors of them, 320 in number, should be emancipated from slavery.

Your Lordship will observe, by the enclosed Report, that it was subsequently discovered that the number of surviving slaves amounted to 323, and that the Decree of Emancipation was amended, so as to include that number. From a consideration of all the facts connected with this discrepancy in the number of the surviving slaves, we were induced to believe that some error must have existed in the Log-Book of the Prize Master, so far as related to the deaths which had occurred amongst the slaves, and that instead of 30 only 27 of them had died previous to adjudication. The evidence so clearly established the fact of there only having been 350 slaves on board the "*Carolina*" when detained, that we could only come to this conclusion.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 22.

Report of the Case of the Spanish brigantine, "Carolina," Juan Pinto, Master.

A ROYAL Passport, dated at Havana on the 17th of March, 1832, was granted to this vessel, in which Juan Pinto was named as her Master, and which authorizes her to engage in a licit commercial voyage to the Island of St. Thomas.

The "*Carolina*" appears to have touched at Princes Island for provisions and water, and then proceeded to Lagos for a cargo of slaves, of whom she took on board 350, though her Passport declares her to be only 78 tons burthen.

She was returning to the Havana, with this cargo on board, when she was captured by His Majesty's frigate, "*Isis*," Captain James Polkinghorne commanding, on the 16th of February, 1834, in latitude 5° 4" North, longitude 4° 52" East, off the mouth of the river Lagos.

A prize crew having been put on board the detained vessel, she was sent up to this Port, where she arrived on the 13th instant, with the Master and 3 others of the Spanish crew as witnesses in the Case.

On the following day, the 14th instant, the arrival of the "*Carolina*" was reported by the Marshal. The Surgeon to the Court also visited her, and represented the slaves to be comparatively healthy, and that there were only 17 cases of serious illness amongst them. But the crowded state of the vessel was unfavourable to the maintenance of health; and the Surgeon recommended that 80 or 100 of the most debilitated, including the sick, should be landed as soon as possible. The limitation as to the number recommended to be landed was owing to a fear lest a difficulty might be felt in accommodating the whole of the slaves on shore, in the then crowded state of the premises provided for their reception.

On the same day the "*Carolina*" was brought into Court on the Petition of the Proctor for the Captor. The Declaration of Captain Polkinghorne, relative to her detention, including the Inventory of Stores found on board at the time of capture, mutually signed by the First Lieutenant of the capturing ship, by the Master of the detained brigantine, and by the Prize Officer, was filed, together with an Affidavit of Mr. Lacon, the Prize Officer, attesting the seizure of the "*Carolina*," as set forth in Captain Polkinghorne's Declaration, and the due delivery of all her Papers into the Registry of the Court. The usual Monition, citing all parties interested in the vessel to appear, was then issued, and the Captor's Proctor having prayed that the slaves might be landed pending adjudication, His Majesty's Commissioners communicated with the Colonial Government on the subject. The Surgeon's recommendation was carried into effect; 100 of the slaves were landed at the Lower Hospital at Kissy; and we are happy to state that not one death subsequently took place.

On the 17th instant Juan Pinto, the Master of the detained vessel, was examined on the standing Interrogatories, and deposed that "he was born in Galicia; has resided in Havana during the last 29 years; has always been a Spanish subject; is unmarried; appointed himself to the command of the detained vessel, being the Owner thereof; first saw the detained vessel at Havana, about 7 months since; does not know where she was built; was present when the said vessel was detained for having black people on board. The vessel sailed under Spanish colours, but had on board a Dutch Ensign for a Private Signal, and an American Jack, which had been found on board when she was purchased. Exclusive of himself, there were 2 Officers and 20 mariners on board, all of whom were Spaniards, excepting the black Cook, and were shipped at Havana; is sole Owner of the vessel and her cargo; had on board, as passengers to Cuba, the 3d mate and 7 of the sailors of the lately-condemned Spanish brig, '*El Primo*,' who were shipped at the Island of Princes; the present voyage began and was to have ended at Havana, which was the last clearing-port the vessel sailed from previous to capture; she went thence to Princes Island for provisions and water, and afterwards to Lagos for the present cargo; was detained on the 17th of February, by the British frigate '*Isis*,' after a 4-hours' chase; the present cargo consists of 350 slaves, shipped from the shore at Lagos; none of them died before capture."

On the same day Pedro Pereira Melai, Cook on board the "*Carolina*," was examined in like manner on the standing Interrogatories, and deposed generally to the same facts, corroborating the evidence of the Master, Juan Pinto, that "350 slaves were shipped from the shore at Lagos, and that none died before capture."

On the 20th instant, publication of the evidence taken and filed in this Case was decreed on the Petition of the Captor's Proctor. The Monition issued on the 14th, was returned into the Registry of the Court on the 21st instant, with the Certificate of the Marshal that it had been duly served. On the 22d the Case was closed by the Affidavit of the Prize Officer, Mr. Lacon, as to the number of deaths which had occurred on board the "*Carolina*" amongst the slaves, between that period and the date of her capture.

This Affidavit stated that, "at the time of the seizure of the said brigantine, '*Carolina*,' there were 350 slaves on board; and that, subsequently to the seizure of the said brigantine, 30 of the said slaves died from disease."

The Court then proceeded to adjudicate the vessel; and the evidence taken in the Case having clearly established the fact that the "*Carolina*" was legally detained by His Majesty's ship, "*Isis*," whilst engaged in the illicit traffic in slaves, Sentence of condemnation was passed upon her, as good and lawful prize to the Crowns of Great Britain and Spain. The Court also decreed that 350 slaves were on board the "*Carolina*" at the time of her seizure; that 30 of that number had died between capture and adjudication; and that the survivors, amounting to 320, be emancipated from slavery.

It always has been the practice of the Court to be guided in its judgment, as to the number of slaves on board at the time of capture, and the number of deaths which may have taken place afterwards, by the affidavit which the Prize Master makes at the close of the proceedings, and when, consequently, he has had every opportunity of informing himself correctly in those matters.

In the Case of the "*Carolina*," the Prize Master, Mr. Lacon, swore that she had on board, at the time of capture, 350 slaves. In this particular his affidavit was corroborated by the declaration of the Captor, and by the evidence of the Master and Cook of the detained vessel. Mr. Lacon also swore that 30 slaves had died between the period of capture and adjudication, and annexed to his Affidavit an extract from his Log, shewing the times at which the different deaths took place.

On this information the Court concluded that the survivors of the "*Carolina*'s" slaves amounted to 320; but when they came to be handed over to the Colonial Government, in accordance with the Decree which had emancipated them, their numbers appeared to be 323, being 3 more than the Prize Officer had represented to be on board the "*Carolina*" at the time of her adjudication.

The Court then entered into a careful investigation, in order to account, if possible, for this discrepancy, and the whole of the evidence having decidedly shown that 350 slaves were on board the "*Carolina*" at the time of her detention, the Court was obliged to consider that some error in the Prize Master's Log, which might very easily happen, had made it appear that 30 slaves had died subsequent to capture, when, in fact, only 27 deaths had taken place.

The Decree of the Court was therefore amended, and the number of slaves from the "*Carolina*," who were emancipated, was declared to be 323.

(Signed)

WM. SMITH.
H. W. MACAULAY.

Sierra Leone, 26th March, 1834.

No. 23.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 25.)

MY LORD,

Sierra Leone, 4th June, 1834.)

WE have the honour to enclose our Report of the Case of the Spanish schooner, "*La Pantica*," Jozé Carbo, Master, which was detained on the 27th

April last, by His Majesty's schooner, "Fair Rosamond," Lieutenant George Rose commanding, off the mouth of the Old Calabar River, in latitude 4° 20' North, longitude 8° 26' East, for being engaged in the illicit traffic in slaves.

The "*Pantica*" sailed from Havana on the 14th December last, furnished, as is usual with such vessels, with a Royal Commercial Passport, authorizing her to engage in a legal voyage to St. Thomas. But, instead of proceeding to that island, she came direct to Old Calabar, and exchanged her outward cargo of rum and dry goods for slaves, of whom 317 were taken on board on the 26th April last, the day previous to that on which she was fallen in with, whilst at anchor off the Old Calabar River, by the boats of the capturing ship.

The Spanish crew were removed from the prize immediately after capture, the Master alone, Jozé Carbo, being left on board with the slaves. The practice adopted in this instance by the capturing ship, of sending up only one of the crew of the detained vessel is, in our opinion, reprehensible, not only from the doubts and difficulties which it might cause, but as being directly at variance with the 6th Article of the Instructions for the ships of war employed to prevent the Slave Trade, and which are attached to, and form an integral part of, the Spanish Treaty. That Article enjoins that "the ships of war which may detain any slave-ship shall leave on board the Captain, and a part at least of the crew of the above-mentioned slave-ship." The propriety of such an injunction cannot be questioned; but were it even questionable, it is no less obligatory upon those to whom it is addressed. The conflicting evidence of different individuals, engaged in the same illicit pursuit, would often lead to the discovery of truth, where the false tale of one witness, who has nothing to fear from the statements of others, might be consistent and plausible enough. Then, the inconvenience which would arise from the death of an only witness, and the facility with which he might be tampered with, are additional reasons for enforcing the observance of this Article of the Instructions.

The "*Pantica*" arrived in this harbour on the afternoon of Sunday the 25th ultimo, and came into the British and Spanish Court on the following day. Her slaves were landed pending adjudication.

The preliminary proceedings having been closed, and the evidence of the Master having clearly established the fact that the "*Pantica*" was engaged in illicit slave trading at the time of her capture, the Court condemned her as a good and lawful prize on the 2d instant, and decreed the emancipation of her surviving slaves, 270 in number.

There is one part of the Master's evidence, quoted in the enclosed Report, which requires some notice. He swears that "a boat with oars, belonging to the captured vessel, was taken by the Commander of the capturing ship." The Captor's Proctor declared himself unable to rebut this charge; we must, therefore, await the arrival of His Majesty's schooner, "Fair Rosamond," to make further inquiries from Lieutenant Rose, her Commander; and until then, we beg to decline expressing any more decided opinion on the subject, contenting ourselves with stating the simple fact, that the "*Pantica*," on arrival, was without a boat.

We have, &c.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure No. 23.

Report of the Case of the Spanish schooner, "La Pantica," Jozé Carbo, Master.

A Royal Passport, No. 195, dated at Havana, on the 14th December, 1833, declares this vessel to be commanded by Jozé Carbo, and to be of the burthen of 73 Spanish tons, and authorizes her to proceed on a licit commercial voyage to the island of St. Thomas.

After leaving Havana, the "*Pantica*" appears to have sailed direct for Old Calabar, and there to have taken in a full cargo of slaves, with whom she was on the point of returning to Havana, when detained by the boats of His Majesty's schooner, "Fair Rosamond," Lieutenant George Rose commanding, on the 27th of April last, whilst lying at anchor off the mouth of the Old Calabar River.

The "*Pantica*" arrived in this harbour on Sunday the 25th ultimo; and early on the following morning was visited by the Marshal and the Surgeon to the Court. The Marshal stated, that there were 275 slaves on board; and the Surgeon, having reported that "9 or 10 of the slaves were suffering from bowel complaint, about 20 from inflamed eyes, and that there were some cases of craw-craw," recommended the landing of all the slaves from a consideration of the crowded state of the vessel and the advanced period of the season.

On the same morning the "*Pantica*" was brought before the British and Spanish Court, on the Petition of the Captor's Proctor. The declaration of the Captor, relative to the detention of the vessel, was filed; the Affidavit of the Prize Officer, Mr. George Bentham, authenticating the ship's Papers, was received; and the usual permission was given for the Monition to issue, and for the production and filing of evidence.

Later in the day, on the presentation of a Petition, praying that the Surgeon's recommendation might be carried into effect, application was made to His Excellency, the Lieutenant-Governor, to allow the slaves to be landed, pending adjudication; to which an answer was immediately returned, that orders had been given to the Assistant-Superintendent of the Liberated African Department to receive the "*Pantica's*" slaves, whenever the Court might give directions for their landing. The slaves were accordingly landed early on the following morning.

On the 27th ultimo, the Master of "*Pantica*," Jozé Carbo, was examined on the standing Interrogatories, and deposed as follows: "he was born in Barcelona; resides in Havana, and has lived there 15 or 16 years; is a Spaniard, and has always been a subject of Spain. The Owner of the vessel resides at Havana, and is a subject of Spain; he (witness) took command of the vessel at Havana in the beginning of last December; received charge from Don Jozé Roscello, who resides at Havana, and is a Spanish subject; has known the vessel 5 or 6 years; saw her first at Havana, and she is American built as far as he knows; was present at the time of capture; was seized for having negroes on board; sailed under Spanish colours, and had no other national flags on board; the vessel is about 70 or 80 Spanish tons burthen, and had on board when taken 23 men, exclusive of himself, who were all Spaniards, shipped at Havana; he (witness) is part Owner of the vessel, to the amount of 3,000 dollars, but none of the Officers or crew have any interest in either the vessel or her cargo; was Master of the said vessel; had no passengers except the negroes; the negroes were taken on board at Old Calabar, on the 26th April last; the voyage began, and was to have ended, at Havana, which was also the last clearing-port; went direct to Old Calabar; was at anchor off Old Calabar, when he saw the capturing ship on the 27th April last, and was taken by boats whilst at anchor; no resistance was made to capture; the before-mentioned Don Jozé Roscello is one Owner, and there may be others besides himself, who has only a share of 3,000 dollars; believes Don Jozé Roscello to be sole Owner of the cargo, which was to have been landed at Cuba on his account; shipped at Havana, rum, rope, dry goods, and the usual cargo for the Coast; took on board 317 negroes at Old Calabar from the shore; none of them died before capture; does not know how many have died since; came direct to Sierra Leone; does not know if the vessel or cargo is insured; a boat belonging to the captured vessel with oars was taken by the Commander of the capturing ship."

No other witness had been sent up from the detained vessel, and the evidence was accordingly closed.

On the 29th ultimo, an Affidavit of the Prize Officer was filed, in order to prove the number of slaves on board the "*Pantica*" at the time of her seizure, and the number of deaths which had taken place amongst them up to the period of disembarkation. By this Affidavit it appeared, that 1 slave had been drowned by jumping overboard, and that 42 had died of disease, between the 29th April and the 27th May; and as 274 slaves were landed, the number on board at the time of seizure must have been 317, as stated by the Master in his evidence.

On the 2d instant the Monition was returned into Court, with the Certificate of the Marshal that it had been duly served; and, on the same day, the Court proceeded to the adjudication of the vessel. The evidence taken having clearly proved that the "*Pantica*" was engaged in illicit Slave Trade at the time of her capture by His Majesty's schooner, "*Fair Rosamond*," the Court decreed her condemnation as good and lawful prize to the Crowns of Great Britain and Spain; and declared that it had been proved that there were on board the schooner, "*Pantica*," at the time of her capture, 317 slaves, of whom 43 had died previously to their being landed in this Colony, and 4 subsequently. The Court then decreed the emancipation from slavery of the survivors, 270 in number.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

Sierra Leone, 4th June, 1834.

No. 24.

His Majesty's Commissioners to Viscount Palmerston.—(Received September 12.)

SIR,

Sierra Leone, 1st July, 1834.

IN pursuance of the 75th Clause of an Act passed in the 5th year of the reign of His late Majesty, entitled "An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade," we have the honour to transmit enclosed a Return of all the Cases of Spanish vessels adjudicated in the British and Spanish Court of Mixed Commission, established at Sierra Leone, in the period from the 1st of January, 1834, to this date.

We have, &c.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 24.

Return of Spanish vessels adjudicated by the British and Spanish Court of Mixed Commissions, established at Sierra Leone, betwixt the 1st of January, and the 1st of July, 1834.

NAME OF VESSEL.	DATE OF SEIZURE.	WHERE CAPTURED.		PROPERTY SEIZED.	SEIZOR.	DATE OF SENTENCE	Number of Slaves Captured.	Number died before Adju- dication.	Total number Emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property con- demned has been sold or converted; and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Vengador . . .	1834. 8th January.	4° 1' N.	7° 0' E.	{ Brigantine and 405 slaves.	{ T. R. Sullivan, Esq., H.B.M. steam-vessel, "Pluto."	{ 1834. 21st February.	405	29	376	{ Condemned for being engaged in the illicit traffic in slaves.	{ Vessel and stores sold by Public Auction and the Proceeds paid into the Military Chest.
Carolina . . .	16th February.	5° 4' N.	5° 52' E.	{ Brigantine and 353 slaves.	{ J. Polkinghorne, Esq., H.B.M. ship, "Isis."	{ 22d March.	353	30	323	Ditto Ditto	Ditto Ditto
La Pantica . . .	27th April.	4° 20' N.	5° 26' E.	{ Schooner and 317 slaves.	{ George Rose, Esq., H.B.M. schooner, "Fair Rosamond."	{ 2d June.	317	47	270*	Ditto Ditto	Ditto Ditto

* One woman died after emancipation, and previous to her description being taken to be registered.

(Signed)

OCT. TEMPLE.
H. W. MACAULAY.

(Signed)

Sierra Leone, 1st July, 1834.
JOHN SALTER, Acting Registrar.

No. 25.

His Majesty's Commissioners to Viscount Palmerston.—(Received December 1.)

MY LORD,

Sierra Leone, 12th September, 1834.

WE have the honour to enclose our Report of the Case of the Spanish schooner, "*Maria Isabel*," Don Jozé Mauri, Master, which was detained on the 5th ultimo, for being engaged in the illicit traffic in slaves, in latitude 36' North, longitude 8° 14' East, by His Majesty's schooner, "*Fair Rosamond*," Lieutenant George Rose commanding.

The "*Maria Isabel*" cleared out from St. Jago de Cuba on the 26th February, 1834, furnished with a Provisional Mercantile Passport, granted by Don Angel Laborde y Navarro, President of the Navy Board at Havana, to Don Jozé Mauri, the Owner and Master, in consequence of his not having received the usual Royal Passport from Madrid; the "*Maria Isabel*" having been a Portuguese vessel at the time she was purchased by Mauri, only a short time before, who changed her national character from Portuguese to Spanish.

By this Provisional Passport the vessel was authorized to carry a cargo of lawful goods, and to discharge the same at Princes Island, and to return to St. Jago de Cuba without touching at any other place, either national or foreign. The Master was also warned not to engage in the prohibited traffic in slaves. But, in spite of these restrictions, Jozé Mauri sailed direct for the River Benin, without having touched at Princes Island at all, and took on board there a cargo of 146 slaves, with whom he was returning to the Island of Cuba when fallen in with by the capturing ship.

The "*Maria Isabel*" arrived in our harbour on the evening of the 1st instant, in the charge of a prize crew, and in company with His Majesty's schooner, "*Fair Rosamond*;" and on the following day she was regularly brought before the British and Spanish Court. Her slaves were landed pending adjudication.

The Monition, which had been issued on the 2d instant, was returned into the Registry on the 9th, and on that day a Court was held for the adjudication of the vessel.

The fact of illicit Slave Trade being clearly proved by the evidence taken in this Case, a Sentence of condemnation was pronounced upon the "*Maria Isabel*" and her cargo; and the survivors of her slaves, 131 in number, were decreed to be emancipated from slavery.

We have, &c.

(Signed)

THOS. COLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 25.

Report of the Case of the Spanish schooner, "Maria Isabel," Jozé Mauri, Master.

THE ship's Papers with which this vessel was furnished at the time of her capture are as follows:—

1. A Provisional Mercantile Passport, No. 20, from Don Angel Laborde y Navarro, President of the Navy Board at Havana, dated at that place on the 14th December, 1833. This Paper is said to be granted to Don Jozé Mauri, in consequence of his not having yet received the usual Royal Passport, and authorizes him "to depart from the Island of Cuba in the schooner '*Maria Isabel*,' of 74½ tons, with a cargo of lawful goods, and to discharge the same at Princes Island, without touching at any other Port, either national or foreign, on his voyage to and from Princes Island, unless necessitated by accident or misfortune." The Passport further declares, that it is only to serve for this present voyage, and that it is to be given up, on the return of the vessel to St. Jago de Cuba. An endorsement on the Passport by José Ruiz de Apodaca, Commandant of the Coast Guard, dated at St. Jago de Cuba on the 26th February, 1834, certifies that all the necessary regulations have been complied with by the Captain of the vessel, Don Jozé Mauri. The usual note is also attached to the Passport, warning the Master not to engage in the prohibited traffic in slaves.

2. A List of the crew, dated on the 26th February, 1834. It is signed by the same J. R. de Apodaca, and is to this effect: "By these presents I grant permission to Don Jozé Mauri, Master and Captain of the schooner, '*Maria Isabel*,' of 74½ tons, to make a voyage from this Port to Princes Island, with a crew of 19 men, whose names and places of nativity are expressed below."

3. Is a Notarial Certificate from Anthony Soler, an authorized Public Notary, dated at St. Jago de Cuba, on the 22d February, 1834, testifying the sale of the Portuguese schooner, "*Maria Isabel*," to Jozé Mauri, a Spanish merchant, for the sum of 2,000 dollars, and that the said vessel had become Spanish property, according to Royal Ordinance, and was fully empowered to trade with the province.

4. A Custom-House Clearance, dated at St. Jago de Cuba on the 24th February, 1834, and signed by Jozé Perez Santin, describes the cargo of merchandize and stores shipped on board the Spanish

schooner, "*Maria Isabel*," bound to Princes Island; and certifies that all the royal duties have been paid thereon.

Notwithstanding the prohibitions of her Passport, the "*Maria Isabel*" came direct to Benin, and there bartered her merchandize for slaves, of whom she took on board 146 on the 31st of July last, and was captured 5 days afterwards with that number on board, near Princes Island, by His Majesty's schooner, "*Fair Rosamond*," George Rose, Esq., commanding. The Captor immediately gave the vessel in charge to an Officer and Prize crew, and accompanied her himself, in her voyage to this place, where she arrived after a passage of 26 days.

On the 2d instant, the Acting Marshal reported the arrival of the "*Maria Isabel*," and the circumstances of her capture, under the signature of Mr. C. O. Hayes, the Prize Master. The Surgeon of the Courts also visited the vessel, and reported "that 11 of the slaves had died of dysentery since capture; that there were then on board 2 cases of dysentery, 1 of which was apparently in the last stage of disease; 1 case of severe ophthalmia; 1 large ulcer; and several cases of craw-craw; that the general appearance of the slaves was healthy, but many of them had slight complaints premonitory of dysentery;" on which accounts, and on account of the inclement season of the year, and the inadequate means of accommodation and ventilation on board; the Surgeon recommended that the slaves should be landed as soon as possible.

On the same day the Case was regularly brought before the British and Spanish Court, on the Petition of the Captor's Proctor, that the Affidavit of the Captor might be received, together with the Declaration made at the time of capture; that the usual Monition, citing all parties interested in the vessel to appear, might issue; and that evidence might be produced.

The witnesses in preparatory, named by the Proctor, were the Master and Steward of the detained vessel.

The Declaration which was filed, on this Petition having been granted, is to the following effect: "I, George Rose, Lieutenant, commanding His Britannic Majesty's schooner, '*Fair Rosamond*,' hereby declare, that on this 5th day of August, 1834, being in or about latitude 0° 36' 00" North, and longitude 8° 14' 00" East. I detained the ship or vessel named the '*Maria Isabel*,' under Spanish colours, commanded by Don Jozé Mauri, who declared her to be bound from the River Benin to St. Jago de Cuba, with a crew consisting of 17 men, whose names, as declared by them respectively, are contained in a List at the foot hereof, and having on board 146 slaves, said to have been taken on board in the River Benin, on the 31st July, 1834."

The Captor's Affidavit declares, that His Majesty's schooner, "*Fair Rosamond*," is duly authorized and empowered to make seizures of vessels under Spanish colours engaged in the Slave Trade; it verifies the facts stated in the Declaration, and it authenticates the ship's Papers, which have been already described.

The Monition was then published, and the witnesses were ordered to be in attendance on the following day.

Early on the morning of the 3d instant, the slaves of the "*Maria Isabel*" were landed, the Captor's Proctor having petitioned that the Surgeon's recommendation in this respect might be carried into effect; and the Acting Governor having provided a place for their reception immediately, on the application of the Commissioners.

On the same day, Don Jozé Mauri, the Master of the detained vessel, was examined on the standing Interrogatories, and deposed "that he was born in St. Jago de Cuba, and has always lived there; is a subject of Spain, and has never been a subject of any other state; is married, and his wife and family reside at Cuba; is Owner of the detained vessel, and took possession of her at St. Jago de Cuba about 8 months since; received the vessel from Vidal and Company, who are merchants, and live at St. Jago de Cuba; did not know the vessel before he purchased her; saw her first at the above-named Port; she was built at Baltimore; was on board the vessel at the time of seizure; she was taken for having slaves on board; she was furnished with Spanish colours, and had no others; the name of the vessel is '*Maria Isabel*,' bought her with that name, and knows of no other; she is 74½ Spanish tons; she had a crew of 18 Officers and men besides himself; they were all Spaniards, and shipped by himself at St. Jago de Cuba; is sole Owner of the vessel and cargo; was Captain, and had no passengers but the slaves, whom he did not attempt to conceal; the voyage commenced at St. Jago de Cuba, and was to have ended there; this was the last clearing-port; she went thence direct to the River Benin, where she took on board a cargo of slaves; does not remember the latitude, but it was near Princes; that he saw the capturing ship on the 5th of August last, about 10 o'clock in the forenoon; was captured about an hour afterwards; was then steering to the southward; went about when he saw the ship-of-war, got out his sweeps, and made all sail; had previously made the best of his way towards Cuba; had no guns mounted, but was provided with 10 muskets, 10 cutlasses, and a few cartridges of powder, to protect himself against the slaves; made no resistance to capture, but used every effort to escape; a Bill of Sale for the vessel was made to him by Vidal and Company, and is left at St. Jago de Cuba; it was dated the 18th of February, 1834; paid 2,000 dollars for the vessel, which he considered her fair value; was Lader, as well as the Owner of the vessel, and would have sold the slaves on his own account, as they are entirely his own property; the cargo brought to the coast was shipped on the Coast of Cuba, and consisted of English merchandize from Jamaica—tobacco, gunpowder, muskets, and dry goods; his return-cargo was slaves, of whom he took on board 146 at one time in the River Benin; none of the slaves died before capture; does not know how many have died since; after capture, they came direct to Sierra Leone."

Jozé Maurisio Pegudo, the Steward of the detained vessel, corroborated the Master's evidence in every point. He deposes, with respect to the cargo of English merchandize brought to the Coast, that "it was taken in at sea, close by Cuba, out of a Spanish vessel from Jamaica."

On the 5th instant, an Affidavit of Mr. Courtenay Hayes, Mate and Prize Master, was filed, to prove the number of deaths which had occurred amongst the slaves previous to their being landed. And immediately afterwards, the Captor's Case being closed, publication was decreed of the evidence taken on his behalf.

The Monition was returned into the Registry on the 9th instant, certified by the Acting Marshal to have been duly served; and a Court assembled on the same day for the adjudication of the vessel.

No doubt could exist that the voyage in which the "*Maria Isabel*" was engaged at the time of her capture was an illegal one; and that her detention by a properly-authorized ship of His Majesty was justified by the Treaty between His Britannic Majesty and His Catholic Majesty, signed

at Madrid on the 23d September, 1817, inasmuch as she was engaged in the traffic in slaves, in opposition to the various Articles of that Treaty.

The Court, therefore, decreed that the Spanish schooner, "*Maria Isabel*," Jozé Mauri, Master, her hull, tackle, apparel, and furniture, and the goods, wares, and merchandize laden therein, be condemned as good and lawful prize to the Crowns of Great Britain and Spain; and as such, captured by His Britannic Majesty's schooner, "*Fair Rosamond*," George Rose, Esq., commanding. The Court further decreed that there were on board the "*Maria Isabel*," at the time of capture, 146 slaves, of whom 12 died previous to their being landed in this Colony, and 3 subsequently; and that the survivors of that number, 131, be now emancipated from slavery.

(Signed)

THOS. COLE.
H. W. MACAULAY.

Sierra Leone, 12th September, 1834.

No. 26.

His Majesty's Commissioners to Viscount Palmerston.—(Received December 1.)

MY LORD,

Sierra Leone, 12th September, 1834.

WITH reference to our Despatch of this date, enclosing a detailed Report of the Case of the Spanish schooner, "*Maria Isabel*," Don Jozé Mauri, Master, we beg leave respectfully to state to your Lordship, that suspicions of a very serious nature rest upon some former proceedings of the said Master on this Coast, in connection with the piratical slave-brig, "*Pelicano*," and to which our attention was directed by the late Mr. Canning, about 8½ years ago.

Jozé Mauri has been before the British and Spanish Court of Mixed Commission 3 times. He was brought here in the Spanish schooner, "*Gazeta*," Mariano Carbo, Master, of which vessel he was first Officer, and joint Owner with the said Master. The "*Gazeta*" was captured by His Majesty's ship, "*Tartar*," commanded by the late Commodore Sir George Collier, K.C.B., and was condemned in the month of May, 1820, for being engaged in the illicit traffic in slaves.

In August, 1830, Mauri was detained again when in command of the Spanish schooner, "*Atafa Primo*," by His Majesty's ship, "*Medina*," Edward Webb, Esq., Commander; but his vessel on that occasion was restored, notwithstanding the clearest evidence of an intention to trade in slaves, owing to some irregularity in her capture.

On the last occasion, however, Mauri completed the offence, and the capture of the "*Maria Isabel*," has been followed by her condemnation, and the emancipation of the slaves found on board of her.

The "*Gazeta*," "*Atafa Primo*," and "*Maria Isabel*," all cleared out from St. Jago de Cuba, and were bound to return to the same Port.

On the 4th instant, subsequently to the examinations in the Case of the "*Maria Isabel*" being taken, it was stated in conversation by the Honourable Benjamin Campbell, a Member of Council, and one of the principal merchants in the Colony, that, on a late visit which he paid to the Rio Nunez, he heard, from several of the traders there, that, after the restoration of the "*Atafa Primo*," Mauri had gone into that river, and boasted of having been actively concerned in the murder of 2 British prize crews, who were conveying slave-vessels to Sierra Leone, for adjudication in the Mixed Courts.

Such a statement immediately brought to our recollection the Despatch of Mr. Secretary Canning, of the 23d February, 1826; and, on a reference to it, as well as to the Reply which that Despatch elicited from His Majesty's Commissioners, on the 20th May, 1826, and, to a second Despatch from them on the same subject, dated the 5th April, 1827, when further information had been obtained, we discovered ample grounds for suspecting that Mauri was implicated in the murderous and piratical acts which form the subject matter of those Despatches. He was therefore apprehended, by our request, a few hours afterwards, and brought up for examination before the presiding Police Magistrate on the same day.

We beg leave to enclose the Official Report received from the Police Office; but we regret much that it does not contain a more full and particular account of what transpired on the occasion.

It would appear, not only from the reports current at the time at St. Jago de Cuba, in Jamaica, and at Rio de Janeiro, but from evidence which His Majesty's Commissioners have since procured, that the true history of the iniquitous transaction is as follows: on the 5th October, 1825, the Spanish brigantine, "*Isabella*," Francisco Granelle, Master, was captured by His Majesty's ship, "*Redwing*," Captain D. C. Clavering commanding, in the Old Calabar River, with 273 slaves

on board. She was immediately committed to the charge of a strong prize crew, consisting of 3 Officers and 12 men; but when she had parted from His Majesty's ship, "*Redwing*," a few days, she fell in with a Brazilian schooner, called the "*Disunião*," Fernando da Costa Piera, Master, and which vessel the Prize Master of the "*Isabella*" imprudently captured, transferring 1 Officer and a part of his crew to the newly-taken prize. Soon after this division of the British force, the 2 prizes, whilst on their passage towards Sierra Leone, in company, were encountered by the piratical Spanish brig, "*Pelicano*," commanded by Don Jozé Sagara, well armed and manned, and which succeeded in recapturing both of them, after a sharp engagement, during the progress of which, and after its close, the whole of the British crews, and many of the Brazilians, were killed. The detained Spanish brigantine, "*Isabella*," seems to have been the property of the same parties who owned the piratical brig, which sufficiently accounts for none of her original Spanish crew being injured.

Immediately after the action, the slaves of the Brazilian schooner, "*Disunião*," were divided between the 2 Spanish vessels, by whom she was also plundered of every article of value, and then allowed to proceed to Rio de Janeiro, where she arrived in the early part of the year 1826, with only 5 persons on board, all in a horribly mutilated state from the knives of the pirates.

On the 28th November, 1825, the "*Pelicano*" reached St. Jago de Cuba, in company with the "*Isabella*," which was then called the "*Juanita*," both vessels being fully laden with slaves.

From this time we lose sight altogether of the "*Disunião*," and the "*Isabella*," alias "*Juanita*." But we find that the "*Pelicano*," which had formerly been His Britannic Majesty's brig-of-war, "*Kite*," and still retained the armament of a vessel of that class, left the Port of St. Jago de Cuba again on the 3d December, 1825, with a cargo of dry goods, under the command of Jozé Mauri, for the Coast of Africa.

It would appear that she came direct to the Rio Nunez, where Mauri employed himself in trading for slaves; but the violence of his proceedings so irritated the natives, that they refused him all assistance in piloting his vessel down the river. The consequence was, that the "*Pelicano*" took the ground, and Mauri, being unable to get her off, removed the guns and stores out of her, and blew her up.

This vessel seems to have borne the various names of "*Pelicano*," "*Gabilar*," "*Gabião*," "*Galvano*," "*Nuestra Senhora del Vinet*," and "*Feliz*." The last is the name by which Mauri always spoke of her during the examination on the 4th instant.

Mauri is described by the Governor of Cuba as having been Mate of the "*Pelicano*," or "*Feliz*," during her previous piratical voyage, and succeeded to the command of the brig on the former Captain, Don Jozé Sagara, choosing to remain on shore. This Mauri positively denies, declaring that his first connection with the piratical brig was when he purchased her at Cuba, after Sagara left her, in the latter end of 1825. He also asserts, that he never boasted of taking part in the murder of two British prize crews, and that he never heard such a transaction mentioned. We do not credit Mauri's statement in these respects; and it is an extraordinary coincidence that the Letter of the Governor of Cuba, written nearly 9 years ago, declares that Mauri was engaged as Mate on board the identical vessel which perpetrated the enormities, of which Mauri is represented by the Rio Nunez traders to have boasted, when under the influence of wine. And this representation was made by the traders, and repeated by Mr. Campbell, in perfect ignorance that Mauri's name had ever been mentioned by any one in connection with such a diabolical transaction. It was, however, decided by the Magistrates that the evidence was not sufficient to warrant the committal of Mauri to gaol, and he was accordingly discharged.

A clue, we consider, is now afforded to the discovery of the real author of the outrage. Don Jozé Sagara, whom the Governor of St. Jago de Cuba promised to do his utmost to find out, resides about 8 leagues from that city, on a large coffee plantation, which is his own property. He is well known in the Island of Cuba, and married a daughter of Don Manuel Préto, one of the principal Magistrates. Mauri states of himself, that he resides in Pedro Street, at St. Jago de Cuba, with his wife and family. It would not be difficult to ascertain the truth of this statement, as well as the nature of the transfer of the ownership of the "*Pelicano*," after Sagara left her in December, 1825. The brutality of Mauri's character is attested by the fact related to us by Lieutenant George Rose, commanding His

Majesty's schooner, "Fair Rosamond," that, on his boarding the "*Maria Isabel*," the first words uttered by Mauri were to the effect, that had he seen the man-of-war in chase one hour earlier he would have thrown every slave in his vessel overboard, as he was fully insured.

We trust that your Lordship will not consider the investigation which has been made unnecessary and improper, as we have been solely guided by a desire to fulfil the Instructions of the late Mr. Canning, "to make what inquiries we can into the truth of the transaction, and to report the result for the information of His Majesty's Government."

We have, &c.

(Signed)

THOS. COLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 26.

Police Office, Freetown, September 4th, 1834.

PRESENT—Logan Hook, Presiding Police Magistrate, the Honourable Benjamin Campbell, the Honourable H. W. Macaulay, and the Honourable John Salter, Members of Council.

Don Jozé Mauri was directed to appear before the Court for examination concerning the murder of several British seamen on board the Spanish brigantine, "*Isabella*," and the Portuguese schooner, "*Disunião*," prizes to His Britannic Majesty's ship-of-war, "*Redwing*," when on their passage to Sierra Leone for adjudication in the year 1825.

Don Jozé Mauri states as follows: "I know Don Jozé Sagara, and that he, Sagara, commanded the Spanish brigantine, '*Feliz*,' formerly called the '*Gabalina*.' The '*Feliz*' carried 5 guns aside, and was once a British man-of-war. I never sailed with Don Jozé Sagara; but I became Owner and Master of the '*Feliz*,' in Cuba, after Sagara left her; this was in the latter part of 1825. I returned to the Coast in the '*Feliz*,' and went into the Rio Nunez. I was also in the Rio Pongas. I made trade with Kramodo, a Chief in the Pongas, and I also know one Ormond in that river. I never boasted to them, or any other person or persons, of having taken any part in the murder of the English seamen on board the '*Isabella*' and '*Disunião*,' nor did I ever hear of the occurrence until now. I never sailed with Sagara in any capacity, and I became Master of the '*Feliz*' when he left her in Cuba in 1825. On my becoming Master of the '*Feliz*,' she had a cargo of dry goods on board; but she did not proceed to Trinidad, but came to this coast. The copy of the transfer of the vessel is in the office of the Minister of Marine at Cuba. The '*Feliz*' was lost in the Rio Nunez, about 6 years ago. I reside in St. Pedro Street, Cuba."

(Signed)

L. HOOK, P. M.

No. 27.

His Majesty's Commissioners to Viscount Palmerston.—(Received December 26.)

(Extract.)

Sierra Leone, 3d October, 1834.

IN our Despatch of the 4th of June, 1834, we had the honour to state to your Lordship that we should feel it to be our duty to call upon Lieutenant George Rose, commanding His Majesty's schooner, "Fair Rosamond," to explain why the boat of the Spanish slave-schooner, "*La Pantica*," had not been sent here, together with that prize, for adjudication. We have now the pleasure to enclose a Copy of Lieutenant Rose's Letter of explanation, which we consider satisfactory.

(Signed)

THOS. COLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 27.

SIR,

*His Majesty's Schooner, "Fair Rosamond,"
Sierra Leone, 2d September, 1834.*

IN answer to your Letter of this day's date, respecting a boat that was taken from the Spanish schooner, "*La Pantica*," lately captured by His Majesty's schooner under my command;—

I have the honour to inform you that the principal officers of the said schooner, being anxious to be landed at the town of Old Calabar, in preference to Fernando Po, and not being able to spare one of my own boats for the length of time it would require for her to be returned to my vessel, I sent the boat of the "*Pantica*," with the sanction and wish of her Master, with his chief Officers, to the Old Calabar; which boat was returned to me at Fernando Po, through the means of Lloyd's Agent at the Island.

The boat, with the oars, are now on board the "Fair Rosamond," and I beg you will acquaint me with whom I shall place her in custody.

John Salter, Esq.
Acting Registrar.

I have, &c.
(Signed) **GEORGE ROSE,**
Lieutenant Commanding.

No. 28.

The Duke of Wellington to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 31st December, 1834.

I HAVE to acquaint you that the King has been pleased to appoint Edward Wyndham Harrington Schenley, Esq., to be His Majesty's Commissioner of Arbitration, in the room of Charles Mackenzie, Esq., to the Mixed British and Spanish Commission established at Havana, under the Treaty for the Abolition of the Slave Trade, concluded between Great Britain and Spain, on the 23d September, 1817.

I am, &c.
(Signed) **WELLINGTON.**

His Majesty's Commissioners,
Sierra Leone.

SIERRA LEONE. (*Portugal.*)

No. 29.

His Majesty's Commissioners to Viscount Palmerston.—(*Received Jan. 28, 1834.*)

MY LORD,

Sierra Leone, 24th September, 1833.

WE had the honour to receive, on the 20th instant, your Lordship's Despatch* of the 13th of July last, enclosing therein, for our information, Copies of correspondence which had recently passed between your Lordship, the Board of Admiralty, M. Sampayo, and Mr. Hoppner, relative to that part of the crew of the Portuguese slave-vessel, "*Nympha*," who have been delivered up to the Portuguese Government, to be dealt with according to the laws of Portugal, for illegally resisting the search of His Majesty's brig, "*Conflict*," and wounding several of His Majesty's subjects.

It affords us gratification to inform your Lordship that the measures adopted by His Majesty's Government towards the individuals in question appear to have had a most salutary effect, as no resistance to the lawful search of His Majesty's cruisers, since the fate of these men has been known to the public, has been attempted.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

* See Class A, No. 22, of 1833.

No. 30.

His Majesty's Commissioners to Viscount Palmerston.—(*Received Jan. 28, 1834.*)

MY LORD,

Sierra Leone, 26th November, 1833.

WE have the honour to acquaint your Lordship that the Portuguese brigantine, "*Virtude*," Manuel Izidoro, Master, said to be bound to the Havana, from the River Calabar, with a cargo of slaves, was, 3 days after she had quitted that river, detained on the 23d ultimo, in latitude 4° 20' North, longitude 8° 39' East, by His Majesty's brig, "*Brisk*," Lieutenant Josiah Thompson commanding.

The "*Virtude*" arrived here, after what is reckoned a short passage of 20 days, on the 13th instant, and, on the following day, proceedings were commenced against her in the British and Portuguese Mixed Court, for being illegally engaged in the Slave Trade; which fact having been unquestionably established, that Court, on the 21st, condemned the "*Virtude*" as good and lawful prize to the Crowns of Great Britain and Portugal, and at the same time decreed the surviving slaves who were captured on board of her, in number 314, to be emancipated from slavery.

Our Report of this Case we have the honour to enclose herein.

The "*Virtude*" originally belonged to João Ferreira dos Santos Silva, as appears by her Passport, signed by Jozé Antonio de Oliveira Liette de Barros, Minister of Marine, and dated at Lisbon, on the 26th of September, 1828. She sailed from Lisbon, about that date, under the command of João Gonsalves Roche, bound to the Rio Grande do Súl, having permission to touch, on her way thither, at Rio de Janeiro. The "*Virtude*" has not been, since then, to Lisbon, and from that period we suspect that she has been, with the exception of one voyage to the Rio Grande from Rio de Janeiro, about the 28th of April, 1829, engaged in the Slave Trade.

We find by the Certificate of the Portuguese Consul-General at Rio de Janeiro, João Baptista Moreira, that, on the 20th of October, 1830, she had changed proprietorship. She then belonged to Francisco da Silva Rodrigues, and was bound from Rio de Janeiro to Cadiz, with liberty to touch at the Islands of Princes and St. Thomas; and she was at Bahia on the following 27th of December, as her Passport was exhibited on that day to João Pereira Lieté, the Portuguese Consul in that City.

On the 22d January, 1831, the "*Virtude's*" Passport was again produced to the same Consul, she being then bound from Bahia on a voyage to the Havana, with liberty to touch at Buenos Ayres and at ports on the Coast of Africa; and on the 28th of the following month of June, she was in Rio de Janeiro, as certified on that date by the Portuguese Consul-General. For nearly 2 years afterwards she does not appear to have been employed, as there is no indorsement by any Authorities on her Passport until the 22d of May of the present year, when she had again changed owners. Francisco Antonio Filgueiras, the Portuguese Vice-Consul at Bahia, certifies, on that day, that she belonged to Manuel Jozé Machado, merchant at Lisbon, and on the 10th of June she cleared out from Bahia, under the command of the present Master, Manuel Izidoro, for Havana, with liberty to call at ports on the Coast of Africa, and the Islands of Princes and St. Thomas.

As she was engaged, this voyage, in the Slave Trade, we conclude that she was engaged in the same traffic in each of the previous voyages that she was allowed to call at the above islands and at ports on the Coast of Africa; as we have never yet known or heard, and our experience is considerable, that a *bonâ fide* lawful traffic was ever carried on from Brazil, those Islands, and the Coast of Africa, to Cadiz, to Buenos Ayres, or to Havana. Those voyages bear upon their face the stamp of illegality.

We do not give the slightest credit to the pretence set up by the Master of the "*Virtude*," that "he went into the Calabar, this voyage, to trade for palm-oil and ivory, but finding that the market was unfavourable, he took negroes." Our firm conviction is that he went purposely (such being, in our opinion, the original object of his voyage) into that river to traffic for the Africans captured on board his vessel; and we are the more inclined to this belief, as the seaman, Manuel Luiz, deposed that, although the "*Virtude*" touched at different places on the coast, to trade, and for provisions, she ultimately went into the Calabar River for a cargo of slaves.

However this may be, we cannot refrain from pointing out to your Lordship's notice that she was fitted out for the reception of a cargo of human beings at Bahia. The deposition of the Master that he shipped at that port the water-casks and slave-deck found on board the "*Virtude*," is, we think, conclusive evidence of the fact.

This circumstance gives rise to the painful reflection that the Authorities at that city were supine beyond measure, or wilfully allowed an infraction, in this case, of the Decree of the Regency of the 12th of April, 1832, regulating the execution of the law of the 7th of November, 1831.

No Officer of the Police, or Justice of the Peace, or his Delegate, visited the "*Virtude*" previous to her departure from Bahia, or, if that were the case, he has entirely neglected to conform to the 1st Article of the Decree in question*, which says he shall write on the vessel's Passport the word "visited," with the "date and his signature; without which formality no vessel shall be despatched." And it is scarcely possible, had such visit been performed, that the Officer could have failed to discover that the "*Virtude*" was intended to be employed in the Slave Trade, had he done his duty, and "examined her water-casks, and any property of the vessel likely to fit her for carrying slaves."

The neglect of these precautions must give strong grounds for suspecting the sincerity of the avowed determination of the Authorities of Bahia to suppress the traffic in slaves.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

* Enclosure in Mr. Aston's Despatch of the 19th of May, 1832, Class B, page 32.

Enclosure in No. 30.

Report of the Case of the Portuguese brigantine, "Virtude," Manuel Izidoro, Master.

THE Portuguese brigantine, "*Virtude*," Manuel Izidoro, Master, was detained on the 23d of October last, in latitude 4° 20' North, longitude 8° 39' East, by His Majesty's brig, "*Brisk*," Lieutenant Josiah Thompson commanding, with 350 slaves on board, said to have been shipped on the 20th of the same month, and with whom she was bound to the Havana from the Calabar River.

The "*Virtude*" arrived in this harbour on the 13th of November, and the Medical Attendant immediately visited the slaves, and reported that there were several afflicted with diarrhoea, a great many with crawl-crawl, and a few with ophthalmia; he therefore recommended, from the crowded state of the vessel, their being landed in order to prevent further disease, and that medical attendance might be rendered to the sick with greater facility, which recommendation was carried into effect early on the following day.

On the 13th instant, the "*Virtude's*" Papers were filed in Court, duly authenticated by the Affidavit of the Prize Master, Mr. Benjamin Fox. The Monition was at the same time prayed for and issued, and it was returned, certified by the Marshal to have been duly served, on the 21st instant.

On the 18th, the Master, Manuel Izidoro, and a seaman, Manuel Luiz, were examined on the standing Interrogatories.

Manuel Izidoro, the Master, deposed that "he was appointed to the command of the detained vessel by José Joaquim Machado, a Portuguese, and the Consignee at Bahia; that he believes the said vessel was built in France; that the detained vessel was seized for having slaves on board; that the name of the detained vessel is "*Virtude*," which is the only name he has known her to have; that the present voyage began at Bahia, and was to have ended at the Havana; that the last clearing-port the vessel sailed from previous to capture was Bahia; the vessel touched at Elmina and Accra to trade, and at Whydah and Princes to obtain provisions and water, and ultimately she went into the Calabar to trade for palm-oil and ivory, but finding that the market was unfavourable he took negroes; that the detained vessel was owned by Manuel José Machado, a resident merchant at Lisbon; that he (witness) was the Lader and Consignee of the detained cargo, the Owner the aforesaid Manuel José Machado; that the present cargo consisted of 350 slaves, shipped from the shore in the Calabar; that all the Papers which were found on board of the detained vessel are entirely true and fair; and that neither Papers, Bills of Lading, Letters, or other writings, which were on board the said brigantine at the time she took her departure from the last clearing-port, and before the capture, have been destroyed or suppressed in any way whatever."

In answer to a special Interrogatory, put to him by order of the Court, he further deposed that "he shipped on board of the said brigantine, '*Virtude*,' at Bahia, the water-casks and slave-deck with which she was captured."

Manuel Luiz, the seaman, deposed that "he does not know who appointed the Master to the command; first saw the detained vessel at Bahia; that the only name by which he has known the detained vessel is '*Virtude*;' that she was seized for having slaves on board; that Bahia was the port from whence the said vessel cleared out for the coast of Africa; that the detained vessel touched at 3 different places on the coast to trade, and for provisions, and ultimately she went into the Calabar River for a cargo of slaves."

On the 19th, the Proctor for the Captor prayed for and obtained leave to file an Affidavit of Mr. Benjamin Fox, the Prize Master, relative to the deaths of 33 of the slaves on the voyage hither. Mr. Fox therein deposed that "31 of the said slaves died from disease, caused by the provisions they were fed with, deponent only being able to supply them with yams; and 2 of the said slaves were drowned by throwing themselves overboard." He further deposed that "every care and attention in the power of himself and crew were afforded to the said slaves, and that their deaths did not ensue through his neglect nor any of his crew."

The evidence thus adduced before the British and Portuguese Mixed Court fully proved that at the time of detention the "*Virtude*" was employed in the illicit traffic in slaves; that Court therefore, on the 21st instant, condemned the "*Virtude*" as good and lawful prize to the Crowns of Great Britain and Portugal, and decreed 314 slaves to be emancipated from slavery, 36 having died (viz. 33 on the voyage up, and 3 after they were landed) between the period of capture and condemnation.

(Signed)

WM. SMITH.

H. W. MACAULAY.

Sierra Leone, 26th November, 1833.

No. 31.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 3, 1834.)

MY LORD,

Sierra Leone, 6th January, 1834.

ENCLOSED we have the honour to forward to your Lordship an Abstract of the proceedings in the British and Portuguese Court of Mixed Commission at this Station, from the 1st of January, 1833, to the 1st of January, 1834.

There was only one Case adjudicated in that period, and that was one of condemnation, and 314 slaves were emancipated from slavery.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 31.

Abstract of Proceedings in the British and Portuguese Court of Mixed Commission, established at Sierra Leone, from the 1st of January, 1833, to the 1st of January, 1834.

THE Portuguese brigantine, "*Virtude*," Manuel Izidoro, Master, bound from the Calabar River to Havana, was detained in latitude 4° 20' North, longitude 8° 39' East, on the 23d of October, 1833, with 350 slaves on board, by His Majesty's brig, "*Brisk*," Lieutenant Josiah Thompson commanding.

The evidence produced proved that the "*Virtude*" was fitted out for the Slave Trade at Bahia, from which port she went to the River Calabar to traffic for slaves; and, on the 21st of November last, the Court condemned the "*Virtude*" as good and lawful prize to the Crowns of Great Britain and Portugal, and decreed 314 slaves to be emancipated from slavery, 36 having died between the period of capture and condemnation.

(Signed)

WM. SMITH.

H. W. MACAULAY.

Sierra Leone, 6th January, 1834.

No. 32.

His Majesty's Commissioners to John Backhouse, Esq.—(Received March 3.)
Sierra Leone, 6th January, 1834.

SIR,

PURSUANT to the 75th clause of an Act passed in the fifth year of His late Majesty's reign, entitled "an Act to amend and consolidate the laws relating to the Abolition of the Slave Trade;" we have the honour to transmit a Return of the only Case adjudicated in the British and Portuguese Mixed Court at this Station, during the period from the 1st of July, 1833, to the 1st of January, 1834.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

John Backhouse, Esq.
&c. &c. &c.

Enclosure in No. 32.

Return of Portuguese Vessels adjudicated by the British and Portuguese Court of Mixed Commissions, established at Sierra Leone, betwixt the 1st day of July, 1833, and the 1st day of January, 1834.

Name of Vessel.	Date of Seizure.	Where captured.		Property seized.	Seizor.	Date of Sentence.	Number of Slaves Captured.	Number died before Adjudication.	Total number Emancipated.	Decretal part of sentence, whether forfeiture or restitution.	Whether property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
<i>Virtude</i>	{ 23d Oct. 1833. }	4° 20' N.	3° 39' E.	{ Brigantine and 350 slaves. }	{ Lieut. Josiah Thompson, H. B. M. brig, " <i>Brisk</i> ," }	{ 21st Nov. 1833. }	350	36	314	{ Condemned for being engaged in the illicit traffic in slaves. }	Vessel and stores sold by Public Auction, and the Proceeds paid into the Military Chest.

(Signed)

WM. SMITH.

H. W. MACAULAY.

Sierra Leone, 1st January, 1834.

(Signed)

WALTER W. LEWIS, Registrar.

No. 33.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 7.)
Sierra Leone, 22d March, 1834.

MY LORD,

WE have the honour to inform your Lordship of the arrival here, on the 19th ultimo, of the Portuguese barque, "*Maria da Gloria*," Joaquim Gerardo Cordonij, Master, which had been detained by His Majesty's sloop, "*Snake*," William Robertson, Esq., Commander, off the mouth of the harbour of Rio de Janeiro, on the 25th of November last, with a cargo of slaves, which had been clandestinely shipped at Angola about the 26th of the previous month of October.

In consequence of the "*Maria da Gloria*" having been detained to the south-

ward of the Equator, in opposition to the 4th Article of the Instructions for ships-of-war employed in the prevention of the Slave Trade; and His Majesty's Government having directed "that His Majesty's cruisers must still govern themselves" by the Convention in which the Instructions are contained, "in seizing and detaining Portuguese slave-vessels;" the British and Portuguese Court, before which the "*Maria da Gloria*" was brought for adjudication, for illicitly trading in slaves, was reluctantly compelled to restore her to the Claimant.

The proceedings in this Case were only closed this afternoon, and time will not allow of our reporting the whole of the facts respecting it. We shall have the honour of furnishing your Lordship with a detailed Report by the earliest conveyance. In the meantime we take advantage of the immediate departure of a very fast-sailing vessel, in which Lieutenant Denman and the prize crew of the "*Maria da Gloria*" are taking a passage for England, of informing your Lordship of the result of the Case of this vessel.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 34.

His Majesty's Commissioners to Viscount Palmerston.—(Received June 25.)

MY LORD,

Sierra Leone, 31st March, 1834.

IN our Despatch of the 22d instant, we had the honour of informing your Lordship of the arrival here, on the 19th ultimo, of the Portuguese barque, "*Maria da Gloria*," which had been detained by His Majesty's ship, "Snake," William Robertson, Esq., commanding, in latitude 24° 11' South, longitude 42° 40' West, with 423 slaves on board, and of the restoration of the detained vessel and her cargo to the Master, Joaquim Gerardo Cordonij, for the use of the Owners and Proprietors thereof.

We have now the honour to enclose our Report of the Case, which we have endeavoured to render as full and explicit as the importance of the subject demanded.

The "*Maria da Gloria*" was not furnished with any Royal Passport on the model laid down in the Convention with Portugal of the 28th July, 1817, authorizing her to carry slaves; nor had she any substitute for it, from the Governor-in-chief of the Province of Angola. She was cleared out from St. Paul de Loando, in Angola, for Rio de Janeiro, on the 25th of October, 1833, by her present Master, J. G. Cordonij; but neither in the Clearance, nor in any other of the numerous Papers with which the vessel was supplied by the Authorities at Loando, is a single expression made use of which might denote that she was engaged, or suspected to be engaged, in the Slave Trade. On the contrary, the Clearance which she received from the principal Officer of the Customs in Angola, certifies that her lading consisted of 18 barrels of gum copal, 105 hides, and 1,500 mats.

But when a Certificate to this effect was signed, and which further stated that this was a "true and correct account of the cargo taken from the Port of Loando for Rio de Janeiro in the said vessel," it cannot be supposed that the Custom-house was really persuaded that a vessel so large as the "*Maria da Gloria*" would attempt to cross the Atlantic with so worthless and insignificant a cargo. Previous to receiving this Clearance, J. G. Cordonij had given bond, under heavy penalties, for the payment of which, if forfeited, a Portuguese merchant at Angola, named Mesquita, became surety, that he would "not take away any person whatever from the place, without the permission of the Governor-General of the Province; and that he would pursue his voyage to his destined Port of Rio de Janeiro, without deviating to any other place."

The penalties of the bond, in both these particulars, were unquestionably incurred. With respect to the first, the Master himself deposed at Rio, that the slaves which formed his cargo at the time of capture, were shipped as "contraband, and that he was not provided with any documents to prove that the duties had been paid upon them;" and with respect to the second, the Master deposed, in the evidence which he gave in this place, as well as at Rio, that his vessel was bound to Monte

Video; whereas his Bond obliged him to sail to "Rio de Janeiro, without deviation to any other port." It is to be hoped, therefore, in a case so clear as this, that the enforcement of the penalties will be insisted on, and a check be thus imposed to similar adventures, at least by the same parties. It will be observed that the surety for the payment of the Bond, Antonio Jozé Mesquita, is named by the Master, in his examination before this Court, as the owner of the 18 barrels of gum shipped on board the detained vessel.

It is doubtful how far Francisco de Paula Vellozo, the acknowledged Agent at Loando, of the Owner of the "*Maria da Gloria*," was a party to the illegal employment of the vessel on her last voyage. It would appear from the documents, Nos. 8 and 9, that this Agent, either anticipating the shipment of the cargo of slaves without his consent, or from an anxiety to clear himself individually from all responsibility which might attach to such a shipment, delivered over the Manifest of the legitimate cargo then on board the vessel, and all the other ship's Papers, to the Master, J. G. Cordonij, on the 26th of October, 1833, together with a Letter of Instructions, in which the Master is enjoined to sail direct from Rio, and there to receive orders from A. J. Ribeiro, the Proprietor of the barque, and is cautioned against engaging in contraband trade, or carrying away slaves. The Agent's Letter then concludes: "I have nothing more to recommend to you, and wish you a pleasant voyage." It would therefore seem that the 432 slaves taken on board the "*Maria da Gloria*," outside the bar of the Port of St. Paul de Loando, subsequently to the above Letter being written, were received on the responsibility of the Master alone, and without the Agent's concurrence. Against this supposition, it may be urged, that the document No. 7 proves that 3 slaves had been shipped by a person of the name of Nunez, in charge of the Boatswain of the vessel, on the day previous to that on which the above Letter of Instructions was written; but the probability is, that this circumstance was unknown to the Agent, from the slaves being concealed, as no mention whatever is made of such persons being on board in the Medical Certificate given by the Colonial Surgeon on the 27th October, 1833, the day after that on which the Agent had given his final instructions to the Master. It might indeed have happened, that a knowledge of the clandestine shipment of these 3 slaves was the cause which induced the Agent to warn the Master as he did against such illegal proceedings, and to clear himself from any connection with the transaction.

But whether M. Vellozo was privy or not to the partial violation of the Bond given by the Master of the "*Maria da Gloria*," which had been committed in the shipment of these 3 slaves, whilst the vessel was still under his control, there can be no doubt that both he and every inhabitant of the place, including all the public Authorities, were fully aware of the large shipment of slaves which subsequently took place.

The latest official document (No. 10) which the "*Maria da Gloria*" received, was dated on the 27th October, 1833; and exactly 4 weeks from that day the vessel was captured off the mouth of Rio Harbour, with 423 slaves on board, 9 of those shipped having died previous to capture. It is evident, therefore, from the short time occupied by this vessel in embarking her cargo of 432 slaves, and conveying them to the spot where she was detained, that this large number must have been previously collected, preparatory to shipment, in the immediate neighbourhood of the City of St. Paul de Loando, from which they were sent on board; and in what manner so many slaves could have been assembled in one place, and then have been removed from that place, at the same time and altogether, without their arrival or departure being noticed, it is difficult, if not impossible, to imagine; and the conviction is forced upon us, that the proceeding must have been observed, and that it was permitted or connived at by the Authorities of the Country.

After the capture of the "*Maria da Gloria*" she was carried into Rio de Janeiro, and brought before the British and Brazilian Court of Mixed Commission established there for adjudication. But the Captors having altogether failed in obtaining proof of her Brazilian character, the claim for her restoration, on the ground of her being Portuguese, was allowed by the Court, which pronounced itself incompetent to decide upon the Case.

Owing to the decision which had been given by the Mixed Commission Court at Rio, as to the national character of the "*Maria da Gloria*," she came before the British and Portuguese Commissioners resident in this Colony as an acknow-

ledged Portuguese vessel, and as such she was admitted into this Court on the 22d ultimo, on the Petition of the Captor's Proctor in this place.

The proceedings on the part of the Captor having been closed, and the Monition, citing all parties interested in the vessel to appear, being returned on the following day, a Claim was filed on the 28th ultimo, by J. G. Cordonij, the Master of the "*Maria da Gloria*," for that vessel, her cargo, and slaves, and for all losses and expenses occasioned by her detention.

On the 14th instant, at a distance of exactly 2 weeks from the claim being filed, the Court met for the adjudication of the vessel. The reading of the evidence by the Registrar, and the addresses of the Proctors for the Captor and Claimant having occupied the first day, the Court deferred giving judgment till the following morning, when a Sentence was pronounced, which restored to the Claimant the vessel, her cargo, and surviving slaves; and referred to the Registrar the duty of ascertaining the amount of costs of suit and special damages and expenses occasioned to the said vessel by her detention, and of reporting thereon to the Court as soon as the necessary examination should be completed.

In no former instance that has come under our observation, has perjury been more unblushingly practised than it was by the Master of the "*Maria da Gloria*," without an effort on his part to preserve even the appearance of consistency in his different statements. After having solemnly engaged that he would not carry away persons from the coast without the permission of the Governor-General of Angola, and that he would sail direct to Rio, and not deviate to any other port, he acknowledges that he embarked his slaves without permission, as contraband, and that the destination of the vessel was Monte Video.

Of this last statement we entertain considerable doubt, from the fact of the vessel having been detained, steering for Rio de Janeiro, and within a few hours' sail from the harbour; from no Papers for Consignees or other persons at Monte Video having been found on board; and from the Declaration of Jozé Correa Nunez, (No. 17,) that the slaves which were shipped by him at Loando were to be sold at Rio de Janeiro.

In the evidence given by the Master before the Court here, he calls the slaves found on board his vessel by the capturing ship, "black people," and he asserts that these "black passengers were to have paid 250 dollars each, as their passage-money from Angola to Monte Video." In another part of the same evidence, he declares that "Joaquim Regada, a Portuguese merchant at Angola, was the Lader of the slaves, but that he does not know who owns them; whereas, in the Claim for the vessel, the cargo, and the slaves, which he filed a few days afterwards, he swears that Joaquim Regada, of Angola, is the true, lawful, and sole, Owner and Proprietor of the cargo of Africans on board;" and he demanded from the Court an Award, not for the passage-money, but for the value of such of the Africans as may have departed this life since capture.

One Paper (No. 7), already referred to, proves that 3 of the slaves on board belonged to a person named Nunez; and the Master swore at Rio that 10 more of the slaves, whom he brought from Angola, belonged to a person named Jozé Antonio de Silva. But it will be unnecessary any further to allude to the contradictions which the various depositions of the Master received, not only from himself but from others: sufficient has been said to show that no credit whatever can be attached to any assertion that he may have made, however solemnly attested.

We have been thus minute in remarking upon the ship's Papers which came before the Mixed Commission Court at Rio, in the first instance, that it may be seen how far our views of their nature and tendency coincide with those which may have been expressed by His Majesty's Commissary Judge resident in that place.

The judgment given by the Court, on the 15th instant, is inserted in the enclosed Report. There is one principle broadly stated therein, to which we would beg respectfully to draw your Lordship's attention; it is that, under the Portuguese Treaties, the right to visit and search Portuguese merchantmen and slave-ships engaged in illicit Slave Trade is a right that may be exercised by a British man-of-war, furnished with the proper Instructions, in all latitudes, both to the north and south of the Equator, but that the detention of such vessels can only take place to the north of the Equator.

Another principle acted upon by us on this occasion is, that no demurrage or indemnification for slaves can be granted to vessels which have been proved to be

engaged in the illicit traffic in slaves at the time of their capture, even though that capture should be illegal. The course pursued by the Governments of Great Britain and Portugal, in the Cases of the "*Sincoridade*," "*Activo*," and "*Perpetuo Defensor*," sanctioned, in our opinion, the adoption of such a principle.

Having thus absolutely restored to the Claimant his vessel and her cargo, and having absolutely refused his Claim for demurrage and for the value of the slaves which had been lost since his detention, the only point remaining for our consideration was the costs of suit, and special damages and expenses, which the Registrar had been directed to ascertain and report upon. A Schedule of the different items forming this Claim, was delivered by the Proctor for the Claimant to the Registrar of the Court on the 20th instant: on the 21st that officer took examinations on oath as to the correctness of the Claimant's charges, and on the 22d made his Report to the Court, which we have now the honour to enclose.

In confirming that Report provisionally in favour of the Claimant, we sincerely trust that we adopted a course which will meet with the approbation of your Lordship; and we anxiously wait your Lordship's decision on the reserved point, as a guide for our conduct on all future occasions of the same nature.

We have also the honour to enclose a certified Extract from the Minutes of the British and Portuguese Court of Mixed Commission, as to the Provisional Decree made by that Court, on the 22d instant.

We cannot close this Despatch without expressing our high sense of the zeal, energy, and ability, displayed by the Registrar, Mr. Lewis, during the progress of this vessel through the Court, and which have enabled us, without deviating in any respect from ordinary forms, to bring our proceedings to a conclusion within 4 weeks, a much shorter period of time than ever yet was occupied by any Case of a similar description.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 34.

Report of the Case of the Portuguese Barque, "Maria da Gloria," Joaquim Gerardo Cordonij, Master.

THIS vessel cleared out from Rio de Janeiro for Benguela, Nova Redondo, and Angola, on the 15th May, 1833. In her Clearance she is styled the Portuguese barque, "*Maria da Gloria*," of 238 tons. Francisco de Paula Vellozo is named as her Master, and Anastacio José Ribeiro, a Portuguese citizen, as her proprietor. She was unprovided with a Royal Passport, authorizing her to carry slaves on her last voyage.

On the arrival of the "*Maria da Gloria*" at the Port of Loando, in Angola, Joaquim Gerardo Cordonij, the present Master, was appointed to the command of the vessel by the former Master, F. de Paula Vellozo, who acted in the capacity of Agent to the Proprietor, A. J. Ribeiro.

Having received a Passport from the Governor and Captain-General of Angola and its Dependencies, and having given the necessary Bonds, J. G. Cordonij cleared out from the Custom-house of Loando on the 25th of October, 1833, with a very trifling legitimate cargo, for Rio de Janeiro.

The ship's Papers with which the "*Maria da Gloria*" left the Port of Loando, at least such of them as have been preserved, are the following:—

1st. A Passport, dated at St. Paul de Loando, on the 10th of October, 1833, signed by José Maria de Souza Almeida Macedo Vasconcellos, the Governor and Captain-General of Angola and its Dependencies, declaring that the Portuguese barque, "*Maria da Gloria*," was about to make a voyage from Loando to Rio de Janeiro, from which port she had come; and, that it had been proved by documents, that the Master, J. G. Cordonij, and the Owner, A. J. Ribeiro, were both Portuguese subjects. Then follows the usual recommendation to all "armed vessels, squadrons, and particularly ships of Kings, Princes, Republics, Potentates, Friends and Allies of the Crown of Portugal," not to molest the "*Maria da Gloria*" in the prosecution of her voyage, but, on the contrary, to lend her any assistance of which she might stand in need.

2d. A Certificate from Ignacio Roberto Brandao, Secretary to the Customs, dated at Loando, on the 23d October, 1833, setting forth that, on the 9th of the same month, J. G. Cordonij, the Master of the Portuguese barque, "*Maria da Gloria*," bound to Rio de Janeiro, had given bond that he would not carry away, as his crew, a larger number of men than his vessel was entitled to; nor take away any person whatever from the place, without the permission of His Excellency the Governor-General of the Province, under pain of paying 400 milreas for every person so taken away; and, that he would pursue his voyage to his destined port, without deviating to any other place, under the penalties established against those who change their route for any port different from that for which they are despatched.

This document further certifies that Antonio José Mesquita, a merchant of Loando, had offered himself as surety, on behalf of the said Master, that the penalties should be paid, in case of any act of transgression.

3d. A Certificate (No. 1405) from the same officer, J. R. Brandao, Secretary to the Customs dated Loando, 23d October, 1833, declaring "that the Portuguese barque, '*Maria da Gloria*,' about "to sail for Rio de Janeiro, and of which Joaquim Gerardo Cordonij is Master, was not under any impediment from the Custom-house."

4th. A Certificate from the same officer, J. R. Brandao, dated on the same day, attached to the List of the crew of the "*Maria da Gloria*," stating that the said List is conformable to law. This Certificate is countersigned, on the following day, by Manuel Jozé de Carvalho e Souza, Secretary to Government.

5th. The Custom-house Manifest of the cargo shipped on board the "*Maria da Gloria*," J. G. Cordonij, Master, bound for Rio de Janeiro, consisting of 18 barrels of gum copal, 105 hides, and 1500 mats. To this Manifest is annexed a Clearance, dated at Loando, on the 25th of October, 1833, from Luiz de Mello Pocho, the principal Officer of Customs, certifying that the Manifest is a "true and correct account of the cargo taken from the Port of Loando for Rio de Janeiro, in the said vessel."

6th. A Licence (No. 8793) from the Governor-General to the "*Maria da Gloria*," to depart for Rio de Janeiro, without any impediment from the forts, dated Loando, 25th October, 1833.

7th. A Declaration made by Jozé Correa Nunez, on the 25th of October, 1833, that he had embarked, on that day, on board the "*Maria da Gloria*," under the care of the Boatswain of that vessel, 3 slaves, (1 woman and 2 girls) whom the said Boatswain is directed to sell at Rio de Janeiro, and to invest the proceeds, after payment of all expenses, in aguardiente, to be shipped out to Loando, by the earliest opportunity, consigned to the order of the said J. C. Nunez. The brand on the left breast of the slaves is particularly described.

8th. A private Manifest of the cargo which had been cleared out at the Custom-house, signed by F. de Paula Vellozo, Agent to the Owner of the vessel, and dated, Loando, the 26th October, 1833, describing the 105 hides, and the 1500 mats, to be consigned to the Owner, A. J. Ribeiro, at Rio de Janeiro, and the 18 barrels of gum copal to be consigned to Jozé Carneiro de Santos, at the same place.

9th. A Letter of Instructions, dated on the same day, and addressed by the same person, on the part of the Owner of the "*Maria da Gloria*," to J. G. Cordonij, the Master of that vessel. It requires him to sail direct for Rio, and there to receive his orders from A. J. Ribeiro, the Proprietor of the barque; and it goes on to say, "the said Proprietor has always recommended in his Letters that the greatest care and vigilance should be used that none of his vessels should bring contraband goods, particularly new slaves; and that it should be ascertained, when outside of the bar of the port, that none are hidden on board." Vellozo then tells the Captain, that he is responsible for the fulfilment of these positive orders, and concludes thus: "on this occasion, I deliver to you the written Papers of the vessel; I have nothing more to recommend to you, and wish you a pleasant voyage."

10th. A Bill of Health from Felipe Jozé Carvalho e Castro, dated Loando, the 27th of October, 1833.

Having thus apparently complied with all the formalities required from vessels engaged in legal traffic, the "*Maria da Gloria*," when outside the bar of the port, took on board upwards of 430 slaves, shipped, by the admission of the Captain, as contraband, together with a large quantity of water and provisions for their subsistence, and immediately sailed for the coast of Brazil. Off the mouth of the Harbour of Rio de Janeiro, in latitude 24° 11' South, and longitude 42° 40' West of London, she was fallen in with by His Majesty's brig, "Snake," William Robertson, Esq., commanding, on the 25th November, 1833, and detained for being engaged in illicit Slave Trade.

The "*Maria da Gloria*" was then carried into Rio de Janeiro, and was brought before the British and Brazilian Court of Mixed Commission resident there, on the 4th of December last, by Admiral Sir Michael Seymour, on behalf of the Captors. It will be unnecessary for us to refer to the proceedings which subsequently took place, and which will of course have been reported by His Majesty's Commissioners in that quarter, further than to observe, that the Captors failed in their endeavours to affix a Brazilian character to the detained vessel; and that the Court consequently declared, on the 20th of the same month, that "it was not competent to the final decision of the Case."

The national character of the "*Maria da Gloria*," having thus been settled beyond dispute, she was committed to the care of Lieutenant Joseph Denman, and a prize crew from the capturing ship, for the purpose of being brought before the British and Portuguese Court of Mixed Commission at Sierra Leone. She arrived in this Harbour on the 19th of February, with the Master and 2 of the crew of the detained ship, as witnesses in the Case, and with 335 slaves on board; 78 having died during the 3 months which had elapsed since capture, and 10 having been found missing in Rio Harbour, supposed to have been carried off by 3 of the Portuguese crew, who escaped from the vessel whilst she was lying there.

These facts were reported by the Marshal on the 20th ultimo; and, on the same day, the Surgeon of the Court, having examined the slaves, represented that "the people on board, having been 3 months under detention, were all debilitated; 8 of them were labouring under diarrhoea; there were 3 cases of catarrh, 3 of dropsy, 12 of variolous eruptions, 2 of abscesses, and 5 of ophthalmia: there were also a number of cases of craw-craw." There being a Naval Assistant-Surgeon on board, the necessity of landing the slaves immediately did not appear so urgent as it would otherwise have done; and the Surgeon merely recommended that, if landed at all, it would be expedient, from the nature of their complaints, that they should be sent to the Lower Hospital at Kissy.

On the 22d of February, being the third day after the arrival of the "*Maria da Gloria*" in the harbour, that vessel was regularly brought into the British and Portuguese Court. In compliance with the Petition of the Proctor for the Captors, the affidavit of the Prize Officer, Lieutenant Denman, authenticating the ship's Papers, and the Captor's Declaration, were received; the usual Monition, citing all parties interested in the vessel to appear, was issued; and permission was given for evidence to be produced and filed.

The Declaration of the Captor states, that "on the 25th day of November, 1833, being in or about latitude 24° 11' South, longitude 42° 40' West, he detained the ship or vessel named the '*Maria da Gloria*,' sailing under Portuguese colours, commanded by Joaquim Gerardo Cordonij, who declared her to be bound from Angola to Rio de Janeiro, and having on board 423 slaves, said to have been taken on board at Angola."

The Declaration was accompanied, as usual, by an Inventory of the cargo, furniture, and stores, on board the "*Maria da Gloria*," which was signed at the same time by Lieutenant Denman, the Prize Officer, and by the Captain of the detained ship.

Amongst the ship's Papers brought before the Court, in addition to those which have been already enumerated and described, were the Log-book of the "*Maria da Gloria*" on the voyage in which she was captured; and another document purporting to be the will of a person named Jozé Antonio de Silva, who was being conveyed as a passenger from Loando to Rio de Janeiro. In this document, which is without date, and altogether informal, the testator declares that he "has on board the "*Maria da Gloria*," 10 bales of merchandise, which he bequeaths to different persons, giving 3 of the said bales to the crew of the vessel, and one to J. G. Cordonij, the Master."

On the same day, the 22d ultimo, permission was given to the Proctor for the Captors to file, in the registry of the Court, the proceedings taken before the British and Brazilian Court of Mixed Commission at Rio; but it will not be necessary for us to enter into the details of these proceedings, as they will doubtless have been already communicated direct from the place where they took place.

On the 24th of February, a petition was presented by the Captor's Proctor, praying that the slaves might be landed, on account of their crowded and sickly state, and their long confinement on board the detained vessel. We immediately addressed a letter to his Excellency the Governor on the subject, in which we stated, "that we were unwilling to press upon his Excellency the expediency of allowing the slaves to be landed, as we feared that, in the event of the "*Maria da Gloria*" and her cargo being restored, a serious commotion in the colony might result from an attempt to re-ship them. But we were desirous of alleviating the sufferings of the people, and begged that his Excellency would be pleased to afford us such assistance as might be in his power to meet the necessity of the case, by placing a portion of them on board any government vessel at his disposal.

To this letter we received a reply, acquainting us that his Excellency had given directions that the "Adelaide," the only vessel belonging to the Colonial Government, should be placed at the disposal of the Mixed Commissions, for the purpose of receiving the slaves on board the Portuguese barque, "*Maria da Gloria*." The sick slaves were then transhipped into the colonial schooner, "Adelaide," which was lying in the harbour dismantled, and they were there attended most sedulously by Mr. Fraser, the Assistant-Surgeon of His Majesty's ship, "Snake," who had been humanely sent in the prize from Rio, that the slaves might enjoy the benefit of his skill, as far as it could be rendered available in their distressing situation.

On the same day on which the slaves of the "*Maria da Gloria*" were thus relieved, by the removal of the sick into another vessel, J. G. Cordonij, the Master, Francisco Perara, one of the seamen, and Bernardino Luiz Martins, the Cook of the detained vessel, were severally examined by the Registrar, on the standing Interrogatories.

The Master deposed, that "he was born in Lisbon, where he has usually resided; has always been a Portuguese subject; is unmarried; was appointed to the command of the detained ship at Angola, by Francisco de Paula Vellozo, a Portuguese merchant, the correspondent of the Owner of the vessel, Anastacio Jozé Ribeiro, a Portuguese merchant living at Rio de Janeiro; took possession of the said vessel, as Master of her, last October; first saw the detained vessel at Rio de Janeiro about a year since; believes she is Brazilian built; was present when the vessel was detained, concerning which he is now examined; believes that she was seized for having slaves on board; she sailed under Portuguese colours, but had also on board an English, Brazilian, and he thinks an American, Ensign, which were there agreeably to the custom of his country; the detained vessel has always been called "*Maria da Gloria*," and is about 323 tons' burthen; exclusive of himself, there were 2 Officers and 10 mariners on board, all of whom were Portuguese, shipped at Angola by the Boatswain and himself; none of the Officers and mariners had any part or interest in the vessel or lading; was Master of her himself; there were 3 Portuguese traders at Angola on board as passengers to Rio de Janeiro, for the benefit of their health; the vessel was bound to Rio, after visiting Monte Video; knows nothing of the voyage in which the vessel was detained previous to her leaving Angola; St. Paul de Loando was the last clearing-port from which the vessel sailed previous to capture; she was captured in 24° 25' South latitude, and longitude 38° 39' West of London, on the 26th November last past, after a chase of 2 hours; did not make any attempt to avoid capture, considering himself free from such interference; did not give any instructions for destroying or concealing any of the vessel's Papers; the aforesaid A. J. Ribeiro was the Owner of the said vessel at the time of her capture; verily believes that if the said vessel be restored, she will be the property of the Owner; the Lader of the slaves on board the vessel was Joaquim Regada, a Portuguese merchant at Angola; does not know who owns them; a Portuguese trader at Angola, named Mesquita, shipped and owned the 18 barrels of gum now on board; the hides and Angola mats were shipped for the account of the aforesaid Owner of the vessel, A. J. Ribeiro, by his correspondent at Angola; witness, in his confusion and annoyance at the time of capture, threw overboard several Papers and many of his clothes; amongst the said Papers were the Letters for the Consignees of his cargo at Monte Video, and he cannot therefore now state their names; the present cargo consisted of the before-stated articles of merchandize, and 432 black people, shipped from the shore at St. Paul de Loando, after the said vessel had cleared the shoals at the mouth of the Port; the said black people were to have paid 250 dollars each as their passage-money from Angola to Monte Video, and when arrived at the last-named Port, the Governor thereof would see to their future prospects; 9 of the said black passengers died before capture, and about 80 or 90 since; there was a Letter amongst the papers destroyed, before stated, from the aforesaid shipper of the black passengers respecting their passage-money."

Francisco Perara, in reply to the standing Interrogatories, deposed that "at the time of the capture of the detained ship, there were 4 or 5 convicts on board, whose term of transportation had expired, and who were taking a passage from Angola to Monte Video, whither the said vessel was bound; the Master of the detained vessel, during her chase by the capturing ship, threw several Papers overboard, of the nature of which he (witness) is ignorant; knows nothing of the cargo of the detained ship in the voyage previous to that in which she was seized; her lading in the present voyage consisted of upwards of 430 slaves, 18 barrels of gum, about 200 hides, and a large quantity of Angola mats."

Bernardino Luiz Martins was also examined on the standing Interrogatories, and confirmed generally the statement of the Master. He deposed that "he knows nothing of the voyage previous to that in which the vessel was seized; the present cargo consisted of 420 slaves and upwards, shipped from the shore at St. Paul de Loando."

On the 23d February, the day after that in which the above examinations were taken and filed, the publication thereof was decreed, on the Petition of the Proctor for the Captor; and, on the 29th of the same month, a Claim was filed for the detained vessel and her cargo.

This Claim is made by Joaquim Gerardo Cordonij, "the Master of the Portuguese barque, "*Maria da Gloria*," a subject of Her Most Faithful Majesty the Queen of Portugal, for the said ship, her tackle, apparel, furniture, goods, wares, and merchandize, and 423 Africans, or so many thereof as were on board the said ship at the time of the capture thereof, by His Majesty's brig, "Snake," William Robertson, Esq., Commander, and brought to Sierra Leone, having been previously taken to Rio de Janeiro, and for the value of such of the Africans as may have departed this life since capture; for the said ship, her tackle, apparel, and furniture, and part of her cargo, consisting of 18 barrels of gum copal, 1,500 mats, and 106 hides, as the sole property of Anastacio José Ribeiro, native and subject of Portugal, residing at Rio de Janeiro, and her cargo of Africans, as the property of Joaquim Regado, a native and subject of Portugal, residing at Angola, and as protected by the Treaty or Convention between His Britannic Majesty and Her said Most Faithful Majesty, dated the 28th July, 1817; and for all costs, charges, losses, damages, demurrage, and expenses which have arisen, or shall, or may, arise, by means of the capture and detention of the said ship, and her cargo as aforesaid."

In the Affidavit which accompanied the Claim, the Claimant further deposes, that "the '*Maria da Gloria*' was captured in the prosecution of her voyage from Angola, on the coast of Africa, to Monte Video, and thence to Rio de Janeiro;" and "he swears that Joaquim Regado, of Angola, is the true, lawful, and sole Owner and Proprietor of the cargo of Africans on board."

The Monition, issued on the 22d February, was returned into the Registry of the Court on the 1st instant, with the Marshal's Certificate of its having been duly served.

On the Petition of the Proctor for the Claimant, permission was granted to have special Interrogatories put to Lieutenant Denman, relative to the authority under which the "*Maria da Gloria*" had been detained. The deposition of that officer, taken on the 4th instant, clearly proved "that His Majesty's ship, 'Snake,' was supplied with the necessary Instructions from the British Government for the seizure of vessels sailing under Portuguese colours, engaged in illicit Slave Trade."

Publication of the Claimant's Case was prayed for on the 6th instant, and on the same day a joint Petition from the Proctors on both sides stated that the Case was closed, and begged that the day might be appointed for the trial of the vessels.

On the 14th instant, the Court met for the adjudication of the "*Maria da Gloria*," having previously received the deposition of Lieutenant Denman as to the number of the surviving slaves on board the vessel on that day. The Prize Officer deposed that "at the time of the seizure of the detained vessel, on the 25th day of November last past, there were 423 slaves on board; that during the stay of the said vessel at Rio de Janeiro, 10 of the said slaves absconded; and that 104 of the said slaves have died from disease." Melancholy as this loss of life must be allowed to be, it is not equal to what might have been anticipated from the long confinement which the slaves had endured on board the crowded vessel.

At the sitting of the Court, the proceedings taken in the Case, and the evidence given by the different witnesses, having been read by the Registrar, the Court was addressed by the Proctors on either side with considerable ability and at great length; the one urging the condemnation of the vessel, on the ground of the illicit nature of the voyage in which she was avowedly engaged at the time of her detention; and the other pleading for her restoration, on the ground that the trade in which she was engaged was legal, within the limits to which she had confined herself; and that the British cruiser had no right, under any circumstances whatever, to visit and capture Portuguese vessels where the present seizure was made. But the nature of the arguments made use of on this occasion, will be more clearly exhibited by the notice which they received from the Court on the succeeding day, when judgment was pronounced on the Case in the following terms:—

"Previous to entering upon an examination of the particular facts which distinguish the Case of the barque, '*Maria da Gloria*,' it may not be amiss to consider those peculiar provisions in the Portuguese Treaties for the suppression of the Slave Trade which have been referred to by the Proctors, both for the Claimant and Captor, as bearing upon the decision which it will now be our duty to pronounce.

"In the Treaty between Great Britain and Portugal, signed at Vienna, on the 22d January, 1815, it was declared that, 'during the interval which is to elapse before the general and final abolition of Portuguese Slave Trade, it should not be lawful for the subjects of Portugal to permit their Flag to be used, except for the purpose of supplying the transatlantic Possessions belonging to the Crown of Portugal.'

"Subsequently, in the additional Convention between Great Britain and Portugal, signed at London, on the 28th of July, 1817, the 2 high contracting powers 'declare that they consider as illicit any traffic in slaves by Portuguese vessels bound for any Port not in the Dominions of His Most Faithful Majesty.' This Convention also rendered it imperative upon all vessels of that Nation 'destined for the Slave Trade, on any point of the African coast where the traffic still continues lawful, to be provided with a Royal Passport, conformable to the model annexed to the Convention, of which it was to form an integral part; and for all Portuguese vessels sailing from any of the Dominions of His Most Faithful Majesty out of Europe, this Passport was to be signed by the Governor-in-chief of the captaincy of the Port from which such vessel sailed.'

"Again, in the Regulations issued by the British Government for the guidance of the Commissions appointed for carrying into effect the Treaties for the abolition of the Slave Trade, we are instructed, that 'the Treaties between this Country and Portugal, and the Acts of Parliament for carrying those Treaties into effect, declare illicit all traffic in slaves by Portuguese ships bound for any Port not in the Dominions of the Sovereign to which the ship belongs.' And it is therein also declared to be an indispensable requisite that 'every Portuguese vessel engaged in this trade must be provided with a Royal Passport permitting such traffic.'

"The passages which have been quoted unquestionably affix a character of contraband trading on every Portuguese vessel engaged in the traffic in slaves, whether to the South or North of the Equator, unless she be provided with a Royal Passport on the appointed model, permitting such traffic, and unless she be bound to a Port within the Dominions of Her Most Faithful Majesty. But the obvious and undoubted illegality of the voyage in which every such vessel is engaged does not necessarily imply the right, on the part of any foreign power, to detain and punish the delinquent.

"The right of search and to detain the vessels of a friendly power in time of peace can only be acquired by Treaties, and can only be exercised in the mode, in the places, and by the persons pointed out in such Treaties. The restrictions by which the concession is fettered are the conditions under which the partial right is permitted; and the gratuitous withdrawal of a right thus solemnly conferred is not more opposed to good faith than the transgression of the limits by which it has been as solemnly circumscribed.

"The Court is as much opposed to the principle laid down by the Proctor for the Captor, that British men-of-war are entitled to exercise the privilege of searching all vessels, under whatever Flag, on the high seas, as it is to the principle which the Proctor for the Claimant has attempted to enforce, that British men-of-war can have no right to search Portuguese merchantmen to the southward of the Line. The Court considers that the judgment of Lord Stowell, in the Case of '*Le Louis*,' so frequently alluded to by the Proctors on both sides, does not at all apply to the Case before us; as the right of search, in that instance, was forcibly exercised against a French vessel, whose government had never conceded that right, under any modification whatever. But in case of Portuguese vessels engaged, or suspected to be engaged, in the illicit traffic in slaves, the British cruiser who is provided with special Instructions for the purpose, enjoys, by Treaty, the right of searching them any where and every where. This extensive concession was granted for a particular object; and in the Convention between Great Britain and Portugal, of the 28th July, 1817, that object is expressly declared to be, on the part of the 2 Governments, mutually to prevent their respective subjects from carrying on the illicit Slave Trade. And the Convention goes on to say, 'For the more complete attainment of this object, the 2 high contracting powers mutually consent that the ships-of-war of their royal navies which shall be provided with special Instructions for this purpose, may visit such merchant-vessels as may be suspected, upon reasonable grounds, of having slaves on board, acquired by an illicit traffic.'

"And in the Instructions for ships-of-war employed in this service, Instructions which form an integral part of the Convention, the 1st Article declares, 'every British and Portuguese ship-of-war, which shall be furnished with special Instructions for this purpose, shall have a right to visit the merchant-ships of either of the 2 powers actually engaged, or suspected to be engaged, in the Slave Trade.'

"Whilst, however, the right to visit and search all such vessels, on the high seas, is universal, and confined to no latitude, (or the limits of its exercise would have been clearly laid down, as in the Netherlands and French Treaties,) the right of detention has been restricted within certain bounds, which are so clearly defined as at once to attract the attention and to point out the proper course of proceeding. And it is a fortunate circumstance for the humane and zealous officers engaged in the suppression of the odious traffic in slaves, that they can turn from the ambiguous provisions of a Convention, and find in the Instructions especially provided for their guidance, an Article so little capable of misconstruction as this: 'No Portuguese merchantman or slave-ship shall, on any pretence whatever, be detained, which shall be found any where on the high seas South of the Equator, unless after a chase, which shall have commenced North of the Equator.'

"Thus far can the British cruiser go, and no farther. He may visit and search Portuguese vessels suspected of having slaves on board, in any latitudes northern or southern; and though in southern latitudes he cannot detain them, yet can he make use of the information obtained by his search, and furnish means to His Majesty's Ministers and Envoys effectually to urge upon the Government of the offender the punishment due to his illicit acts.

"The Court, happily, does not come to the consideration of this Case unfurnished with precedents which have received the sanction and approval of His Majesty's Government, and to which His Majesty's Commissioners have been directed as the guide of their conduct on all similar occasions.

"There are 3 cases more particularly referred to by the Claimant's Proctor, which have so close a resemblance to that of the '*Maria da Gloria*,' that it may be worth while briefly to state the peculiar features of each.

"The Portuguese schooner, '*Sinceridade*,' owned by 2 merchants residing at St. Paul de Loando, was detained on the 3d of December, 1822, by His Majesty's ship, '*Bann*,' under the command of Captain Phillips, only 8 minutes to the southward of the Line. She had on board, at the time of capture, 123 slaves, which had been embarked in 1° 20' South latitude (not to the North of the Line, as stated by the Proctor for the Claimant, but) at a place without the range to which the legal Slave Trade of Portuguese subjects was confined. In addition to this illegality of embarkation, she was unprovided with a Royal Passport, authorizing her to carry slaves. The Captor, however, by his own Declaration, had overstepped the limits, although only by a few minutes, to which the right of detention had been restricted, and the Court decreed the restoration of the '*Sinceridade*' and her cargo.

"The '*Activo*' was a Brazilian brig, captured on the 1st February, 1826 (at a time when all vessels of her character were dealt with according to the provisions of the Portuguese Treaty), by Captain Murray, of His Majesty's ship, '*Athol*.'

"She was detained in latitude 4° 24' South, with 164 slaves on board; she was provided with a Royal Passport, authorizing her to take in slaves from one of the Portuguese possessions to the South of the Equator, but she sailed direct to Badagry, and embarked her slaves in that Port, situated in 6° 20' North of the Equator. Had the '*Activo*' been fallen in with on her passage between Badagry and the Line, there is no doubt that she might legally have been detained, and that the condemnation of the vessel and her cargo would have followed. But the admitted violation of her Royal Passport was not deemed by the Court to justify the illegality of her detention to the southward of the Line, and both vessel and cargo were restored to the Owner.

"The Brazilian brig, '*Perpetuo Defensor*,' was shortly afterwards brought into Court, under precisely the same circumstances as the '*Activo*.' She had been captured off Anna Bona, to the southward of the Line, with 424 slaves on board, by His Majesty's ship, '*Maidstone*,' commanded by Commodore Bullen, on the 18th April, 1826, on the ground that she had embarked her slaves at Badagry, more than 6° North of the Equator, in direct violation of the Royal Passport which she had received. A similar judgment was given in this Case, and the '*Perpetuo Defensor*' and her cargo were decreed and restored.

"All these judgments were unreservedly approved by His Majesty's Government, and the Court has now only to decide upon the Case immediately before it, according to the principles and precedents which have been enumerated.

"An attempt was made in the Mixed Commission Court at Rio, on the part of the Captors, to affix a Brazilian character to the '*Maria da Gloria*.' That Court decided that she was not Brazilian, and from that decision there can be no appeal. Indeed there appears to be no reason to suppose that she is not what she is treated as being, both by Captor and Claimant, a Portuguese vessel; and the mere fact of her having, according to general practice, a few foreign Flags on board, would hardly lead to such a suspicion. Her national character must therefore be deemed to be Portuguese.

"It appears by the documents found on board the '*Maria da Gloria*' at the time of her capture, that she cleared out from the Port of St. Paul de Loando, in Angola, with a trifling legitimate cargo, from Rio de Janeiro, on the 24th October, 1833, and that shortly afterwards, when outside the bar of the Port, she took on board upwards of 430 slaves, without having obtained a licence for them, or having paid the customary dues, and after having entered into Bond not to take away any person from the place, without permission of the Governor-General of the province. With this living cargo, shipped, by his own admission, as contraband, and without a Royal Passport, Joaquim Gerardo Cordonij was detained off Rio, by His Majesty's brig, '*Snake*,' in 24° 11' South latitude. This detention was undoubtedly illegal, and in direct contravention of the 4th Article of the Instructions to men-of-war engaged in the suppression of illicit Slave Trade.

"Having thus given a brief outline of the Case, the Court will proceed at once to pronounce judgment upon it. For after all that has been said, it is needless, as it would be disgusting and tedious, to follow the Claimant through all the varieties of perjury which distinguish his evidence both at Rio and this place: the Court therefore decrees that the said Portuguese barque, '*Maria da Gloria*,' her tackle, apparel, and furniture, and her goods, wares, and merchandize, also all the survivors of the slaves on board of her at the time of her capture by His Majesty's brig, '*Snake*,' William Robertson, Esq., Commander (309 in number), be restored to the Claimant, Joaquim Gerardo Cordonij, for the use of the Owners and Proprietors thereof; and that it be referred to the Registrar to ascertain the amount of costs of suit, and such special damages and expenses only as have been occasioned to the said barque by her detention.

"The Court has decided upon the illegal detention of the '*Maria da Gloria*,' and has consequently decreed that she be restored to the Claimant; but it cannot lose sight of the fact that she was captured in the prosecution of an illicit traffic. And whilst, on one hand, it would most scrupulously avoid giving even the appearance of its sanction to the infringement of the 4th Article of the Instructions to men-of-war, which was committed in this instance, it must be equally careful, on the other hand, that its Award shall not operate as an encouragement to the Portuguese slave trader, to carry on his illicit pursuits in open and avowed violation of National Treaties, as well as the laws of his own Country.

"The Court is of opinion that the Claimant is not entitled to receive demurrage, by the following clause in the 8th Article of the Regulations for the Mixed Commissions: 'The 2 high contracting powers wishing to avoid, as much as possible, every species of fraud in the execution of the additional Convention, have agreed that, if it should be proved that the Captor has been led into error by a voluntary and reprehensible fault on the part of the Captain of the detained ship, in that case only the detained ship shall not have the right of receiving, during the days of her detention, the demurrage referred to in the other parts of the 8th Article. Now, in this instance, the Captain of the detained vessel himself swears that he shipped his cargo of slaves as contraband; and does not pretend to have been provided with a Royal Passport, authorizing him to carry on the Slave Trade; and these voluntary and reprehensible faults on his part unquestionably led to the error which the Captor committed in detaining his vessel.

"In like manner the Claimant can have no indemnification granted to him for his slaves; for the 9th Article of the Regulations for the Mixed Commissions declares that 'in no case shall he be entitled to claim for more than the number of slaves which his vessel was, by the Portuguese laws, authorized to carry, and which number shall always be declared in his Passport.' Now, as the '*Maria da Gloria*' was unprovided with a Royal Passport, she was not authorized to carry a single slave, and consequently is not entitled to claim indemnification for any.

"The Court is the more convinced of the propriety of this decision, by the result of the Cases of the '*Sinceridade*,' '*Activo*,' and '*Perpetuo Defensor*,' where the demurrage and indemnification for loss of slaves were provisionally decreed to the Claimant, should the 2 Governments agree that they were entitled to claim them, but not otherwise.' It was then determined that the illicit nature of the voyages in which those vessels were engaged at the time of capture deprived them of all title to such compensation, and that which was a doubtful question, at the time it was referred to the 2 Governments, has now become a settled point by their decision.

"In dealing with the vessel and the claims for demurrage and indemnification for slaves, as has been done on this occasion, the Court has followed out both the letter and spirit of the Convention between Great Britain and Portugal, as well as the clear directions laid down by Mr. Canning for the guidance of His Majesty's Commissioners, and which will be found at page 72, of Class A, of the printed Correspondence laid before Parliament in 1827, that, 'on one hand, no compensation can, in equity, be due to traders for losses sustained by them in cases of traffic, carried on under circumstances which constitute illegal trade; whilst, on the other hand, no condemnation of a vessel ought to take place when the capture is made at a spot not absolutely within the boundary prescribed for capture by the Treaty.'

From this judgment it will be seen that, whilst the Court imitated the line of conduct which had been pursued by the Governments of Great Britain and Portugal, in former instances, by refusing to the Claimant indemnification for slaves which he had lost, and demurrage for the detention of his vessel on account of the illicit nature of the trade in which he was engaged; it absolutely restored the vessel and cargo to the Claimant, for the use of the Owners thereof, on account of the illegality of the capture. The Court at the same time directed the Registrar to ascertain the amount of costs of suit and of such special damages and expenses as had been occasioned to the captured vessel by her detention.

On the 20th instant the Claimant produced his Schedule of costs of suit and special damages and expenses, amounting to the sum of 940*l.* 7*s.*, and at the same time swore that the Schedule was "true and fair, and that his vessel would not be able to proceed from this harbour to her port of destination without incurring the expenses therein claimed." A minute examination was then entered upon at the Registry of the Court, by all the parties interested in the Case, of every separate item composing the

Claimant's very large demands, and it was finally decided by the Registrar that 34*l.* should be considered an equivalent for costs of suit, and 145*l.* 9*s.* 4*d.* for special damages and expenses, making together the sum of 189*l.* 9*s.* 4*d.* sterling. On the following morning, the 22*d* instant, the Report of the Registrar on the matters referred to him was presented to the Court, which immediately gave notice of a sitting for the purpose of announcing its Award.

In a private conference between His Majesty's Commissioners, which took place previous to the sitting of the Court, a difference of opinion was found to exist between Mr. Smith and Mr. Macaulay, as to whether the Report made by the Registrar, of the ascertained amount of the costs of suit and special damages and expenses, should be confirmed *absolutely* or *provisionally* in favour of the Claimant.

Mr. Smith considered that the Report should be confirmed absolutely, by a Decree of the Court. He could not view such a proposition as giving the Claimant compensation for losses sustained by him but as a reimbursement that he was entitled to, owing to those costs, damages, and expenses, having been caused by the personal acts of the Captor, with which the Claimant's voyage was unconnected. Mr. Smith thought it was the duty of the Court to place the Claimant in such a position, by making a Decree in his favour, that he might be enabled to raise money thereon in the Colony, and thus be furnished so far with resources, for the purpose of taking his vessel and cargo away, without which the Claimant might be obliged to abandon both, from the want of means to pay those expenses the Captor had individually put him to; and consequently the Sentence of restitution might thus be rendered nugatory.

Mr. Smith was also of opinion, that, even supposing the Claimant could of himself find means to pay the expenses in question, and to quit this place, with his vessel and cargo, that circumstance ought not to affect his right to a Decree for the sum stated by the Registrar in his Report, as the Declaration of His Majesty's Government, that "no compensation can in equity be due to traders for losses sustained by them in cases of traffic, carried on under circumstances which constitute illegal trade," could not mean that the Claimant should be debarred from receiving the amount of such costs and damages as the Captor himself had been the means of causing; otherwise a Captor might carry that principle to so great an extent as to make a wreck of any Claimant's vessel, under the assurance that he would not have to pay for damage so done.

Mr. Macaulay, on the other hand, considers the question to be, whether a person, captured in the prosecution of a slave adventure, which, by his own admission and by the clearest evidence, is proved to be contraband in every particular, from its beginning to its end, can be entitled to receive remuneration for any expenses which he may have incurred, or for any costs of suit to which he may have been subjected, in consequence of his illegal proceedings, even although his capture may have been as unauthorized as the nature of the voyage in which he was engaged.

In coming to a decision upon this point, Mr. Macaulay conceived that His Majesty's Commissioners were not at all bound to take into account what might be the probable consequences of their decision either to one party or to another; how far the Captor might be in a condition to satisfy the amount which the Court might think it just to award to the Claimant, or how far the Claimant might be in a condition to prosecute his voyage, without relief, to some extent, being granted from the Captor.

The 2 Governments of Great Britain and Portugal having already decided that, under circumstances of illegal trade, but of unwarranted capture, the captured vessel is not entitled to receive from the Captor any indemnification for demurrage or for loss of slaves, Mr. Macaulay was of opinion, that the same principle should be applied to every other loss which the captured vessel may have sustained from the same cause; inasmuch as the costs of suit, the expense of provisioning and fitting out his vessel for sea, and the wages of seamen to carry her to her original destination, or to the spot where she was taken, are losses of the Claimant, not in any degree more clearly attributable to the personal acts of the Captor than the demurrage which the vessel has incurred, or the loss of life amongst the slaves which has taken place, in consequence of the unauthorized detention.

Mr. Macaulay further considered that the letter and spirit of the Portuguese Convention were opposed to any remuneration whatever being granted for losses sustained under circumstances which constitute "illegal trade;" as "the object of this Convention is expressly declared to be, to prevent British and Portuguese subjects from carrying on an illicit Slave Trade,—the prevention of all illicit traffic in slaves."

In consequence of the decision referred to above, which had been given by the Governments of Great Britain and Portugal, compensation for demurrage and loss of slaves, which, in all former cases similar to that of the "*Maria da Gloria*," had been *provisionally* awarded to the Claimant, was, in the present instance, *absolutely* denied; and it seemed to Mr. Macaulay only reasonable to consider the decision which had sanctioned, in our opinion, our advancing one step beyond precedent, with respect to demurrage and indemnification for slaves, would also sanction our advancing to the same extent with respect to costs of suit and special expenses, which on former occasions had been *absolutely* confirmed to the Claimant, but which, Mr. Macaulay proposed, should now be only *provisionally* awarded.

The difficulty felt by Mr. Smith, lest a decision of the Court, in accordance with the views of Mr. Macaulay, should operate as an encouragement to His Majesty's cruisers to speculate recklessly in the capture of Portuguese slave-vessels, in any latitudes and under any circumstances, was equally felt by Mr. Macaulay; at the same time that caution was acknowledged to be requisite, lest an absolute Award in favour of the Claimant should give even the appearance of sanction to such illicit adventures as that in which the "*Maria da Gloria*" was professedly engaged at the time of her capture. This is a difficulty which has more than once met His Majesty's Commissioners in this Colony, and the statement made by Mr. Edward Gregory, in a Despatch to Mr. Canning, dated 6th June, 1822, on the subject of the Portuguese slave-schooner, "*Sinceridade*," well expresses the sentiments with which we were impressed: "If compensation should not be allowed, it would seem that encouragement was given to the infringement of the special prohibition against the detention of any merchantman or slave-ship found to the South of the Equator; and if compensation should be allowed, it would seem that encouragement would be given to the violation of the special object of the Convention, which is to prevent illegal Slave Trade."

The plan followed by our predecessors on the occasion referred to was finally adopted by ourselves; and it was agreed "that the Case under deliberation should be placed under the view of the superior Authorities, who might, by a reference to the views in which the Convention was concluded,

more easily ascertain which branch of the alternative which embarrassed the Commissioners was to be preferred; and if the dilemma arose from defect or *inconsistency* in the Convention, might easily apply the proper remedy by supplementary provision."

The difference which had existed in the opinions of His Majesty's Commissioners was known only to themselves; and when it had been resolved to pursue the course just alluded to, of provisionally confirming, in favour of the Claimant, the ascertained amount of costs of suit, and special damages and expenses, Mr. Macaulay pronounced the Award of the Court, on the Report of the Registrar, in the following words:—

"At the last sitting of the British and Portuguese Court, the Court referred to the Registrar the duty of ascertaining the amount of costs of suit, and of special damages and expenses occasioned to the barque, '*Maria da Gloria*,' by her detention. The Report of the Registrar on those particular items is now before the Court for its Award, and forms the only subject to which the Court has to direct its attention on the present occasion.

"In refusing positively the Claimant's demand for demurrage and indemnification for loss of slaves, the Court adopted a rule which, when applied provisionally in other Cases, had received the sanction of His Majesty's Government; but in behalf of the present claim it may be urged, that in those very Cases ("*Sinceridade*," "*Activo*," and "*Perpetuo Defensor*,") where the Court made only a provisional Award of demurrage and indemnification for slaves, it absolutely confirmed to the Claimant the ascertained amount of his costs of suit, and special damages and expenses, and that the propriety of that absolute Award has never yet been questioned.

"The Court, however, is of opinion that the decision to which the Governments of Great Britain and Portugal came, in every one of the Cases referred to,—viz. that the Claimants had no right to the indemnification which had been provisionally decreed to them—goes far to establish the principle that no compensation whatever should be granted for losses sustained in the course of an illegal traffic, and would induce the Court to believe that, if the items which form the claim now under consideration had been submitted at the same time, and under the same circumstances, to the 2 Governments, their decision, with regard to costs of suit and special expenses, would have been the same as it was with regard to demurrage and indemnification for slaves.

"The illegality of the '*Maria da Gloria*'s voyage is unquestionable, if we look only to the admissions of her Master, that the slaves on board of her were shipped as contraband; that he was bound to Monte Video, a place for which he had received no Clearance; and that in both these respects he had violated the conditions and incurred the penalties of the Bond which he had given to the Custom-House at Loando. Upon the principle, therefore, which has already been laid down, the Court must decline making an absolute Order for any compensation to the '*Maria da Gloria*,' notwithstanding the circumstances of her illegal detention.

"The Court further considers that such an Award would be not more opposed to sound reason than it would be to the letter and spirit of the Portuguese Convention; the 1st Article of which says, 'the object of this Convention is, on the part of the 2 Governments, mutually to prevent their respective subjects from carrying on an illicit Slave Trade.' And in the 5th Article of the same Convention, 'the object of the 2 high contracting Powers' is again declared to be 'prevention of all illicit traffic in slaves.'" And surely the prevention of such illegal trading is not to be accomplished by an indemnification for losses sustained in its prosecution.

"Let us apply this understanding of the object of the Portuguese Convention to the 8th Article of the Regulations for the Mixed Commissions, so much insisted on by the Proctors on both sides; and all difficulties, by which it may appear to be surrounded, will instantly vanish. That Article opens thus, 'every claim for compensation of losses occasioned to ships suspected of carrying on illicit trade in slaves shall be heard and judged by the above-named Commissions, who shall award indemnification in all cases wherein restitution shall have been so decreed.'" The construction put upon this clause by the Court is, that indemnification should be granted to a detained vessel in every case where the illicit trade in slaves shall only have been 'suspected' by the detaining ship, and not borne out, as it has been in the present instance, by incontestable proof.

"But, notwithstanding the conviction which the Court entertained, that reason, and the spirit of the Portuguese Convention, as well as of the Instructions which have been received from His Majesty's Government, are opposed to the compensation which the Claimant is seeking at its hands, it cannot forget that there is no appeal from its judgment; and that this is the first occasion on which it has been called upon to apply to a claim for costs of suit and expenses the principle which has been recognized as applicable to demurrage and indemnification for slaves.

"Under these circumstances, and with the hope that the reference of this Case for decision by a higher authority may induce a revision of the Portuguese Slave Treaties, the Court doth award and decree that William Robertson, Esq., the Captor in this Case, do pay unto Joaquim Gerardo Cordonij, the Claimant, or unto his lawful attorney or attorneys, for the use of the Owners and Proprietors of the said barque, '*Maria da Gloria*,' the sum of 180*l.* 9*s.* 4*d.* sterling, being for costs of suit, and such special damages and expenses as the Registrar has stated the Claimant to be entitled to, for the detention of his vessel, provided the British and Portuguese Governments agree, and declare that the said sum of 180*l.* 9*s.* 4*d.* sterling ought to be paid to the said Claimant, according to the true intent and meaning of the Convention between Great Britain and Portugal, for the prevention of illicit Slave Trade, but not otherwise."

On the 27th instant, the ship's Papers belonging to the "*Maria da Gloria*" were delivered up to the Claimant's Proctor, on his Petition, and a Receipt taken for the same, an Endorsement having first been made by the Registrar on the Portuguese Passport, stating the circumstances of the vessel's detention, and of her restoration on the 15th instant, under a Decree of the British and Portuguese Court established in this Colony, and that, "by the aforesaid Decree, her Master, Joaquim Gerardo Cordonij, had received 309 slaves, of whom 5 had died since, and 64 had, on account of their extreme debility, been presented to the Governor of this Colony; and that the said vessel was about to take her departure hence, with the remainder of the said slaves, 240 in number."

This Endorsement was made in order to prevent the vessel sheltering herself from capture, under the Decree of restoration from the Court with which she was provided, should she hereafter be boarded by any of His Majesty's cruisers, and be found to have a larger number of slaves on board than could be properly accounted for.

It is extremely gratifying to us, at the conclusion of this long Report, to have it in our power to point out one advantage which has happily resulted from the arrival of the "*Maria da Gloria*" in our harbour. We allude to the circumstance (mentioned in the Endorsement on the ship's Passport, just quoted) of 64 of the sick slaves belonging to the vessel having been presented to the Colonial Government, through the humane interposition of His Excellency Lieutenant Governor Temple, for the purpose of freeing them from slavery.

This is indeed an incalculable advantage, and may serve, in some degree, to console humanity under the horrid prospect, which now lies before the survivors of the unhappy slaves, of having a third time to cross the Atlantic ocean, after the sufferings which they have already endured during a period of more than 5 months.

(Signed)

WM. SMITH.

H. W. MACAULAY.

Sierra Leone, 31st March, 1834.

Second Enclosure in No. 34.

Portuguese barque, "Maria da Gloria," Joaquim Gerardo Cordonij, Master.

To the trusty and well-beloved William Smith, Esq., His Britannic Majesty's Commissary Judge, and Henry William Macaulay, Esq., His Britannic Majesty's Commissioner of Arbitration, acting in the absence of Commissioners, on the part of Her Most Faithful Majesty the Queen of Portugal.

Whereas, by your Decree of the 15th day of March, 1834, you pronounced the said vessel, her cargo, and slaves, to have belonged as claimed, and decreed the same to be restored to the Claimant, for the use of the Owners and Proprietors thereof, and referred it to your Registrar to ascertain the amount of the costs of suit, and such special damages and expenses, only as have arisen by the detention of the said vessel, by His Britannic Majesty's ship, "*Snake*," with directions that he should report the same to you: Now I do most humbly report, that having received an account of the same, brought in on behalf of the Claimant, and having taken it, together with what was urged by the Agents of the parties on both sides, into consideration, I am of opinion that the Claimant is entitled to the several sums mentioned in the Schedule hereunto annexed.

All which is humbly submitted by

(Signed)

WALTER W. LEWIS, Registrar.

Sierra Leone, 22d March, 1834.

*In the Case of the Portuguese barque, "Maria da Gloria," Joaquim Gerardo Cordonij, Master,
Schedule of Costs, Damages, and Expenses.*

£.	s.	d.		£.	s.	d.	£.	s.	d.
50	0	0	Claimed as costs of suit.						
			I allow				35	0	0
2	10	0	Claimed for Harbour-master's fees.						
			Allowed by consent of the Parties	2	10	0			
5	0	0	Claimed for Custom-house fees, for waterage and anchorage.						
			The Colonial law regulating the amount of waterage and anchorage enacts that foreign vessels shall pay 1s. 6d. per ton, according to the tonnage of the vessel. I therefore allow, with the consent of the Proctor for Captors, the fee imposeable under the said law, viz. for 238 tons, at 1s. 6d. per ton	17	17	0			
20	0	0	Claimed for expenses of wooding the barque for sea.						
10	0	0	Claimed for expenses of watering the barque for sea.						
			I allow for the 2 preceding charges	10	0	0			
8	0	0	Claimed for repairs of a boat, which will not swim in consequence of Captors having allowed a cask of water to fall into her.						
			It having been proved to my satisfaction that this statement is not correct, and also that the said boat has only received some trifling damage at the hands of the Captors, I allow for her repairs	1	10	0			
5	0	0	Claimed for cooping the water-casks, the same having been neglected to be filled by the Captors with salt water, as the fresh water was expended therefrom.						
			I have not allowed this charge, as it has not been proved to me that any neglect whatever took place in respect to the said water-casks, on the part of the prize-crew.						
2	10	0	Claimed for canoe-hire, whilst the aforesaid boat may be repairing, say 10 days at 5s.						
			I allow for the hire of a canoe, during the probable time required to repair the said boat, as far as it has been proved to have received injury from the Captors, viz. 3 days, at 4s. 4d. per diem	0	13	0			
20	0	0	Claimed to replace cabin stores for sea.						
£123	0	0	Carried over.	£32	10	0	35	0	0

G 2

£.	s.	d.		£	s.	d.	£.	s.	d.		
123	0	0		Brought forward	32	10	0	35	0	0	
			I do not allow this charge, as the Master acknowledged to me, in the presence of the Captor's and his own Proctor, that he, the Master, consumed all the provisions for which this charge is made.								
80	0	0	<i>Claimed for provisioning the barque for sea.</i>								
			I allow 1s. 3d. per diem for the maintenance of the crew of the said vessel, 13 in number, for 64 days, in which time it is calculated she can reach the place where she was detained, viz. off the Port of Rio de Janeiro; and which said allowance includes the 14 days which it is estimated may be occupied in refitting the said vessel in this harbour, to enable her to proceed to her destination								
288	16	0	<i>Claimed for provisioning the 253 slaves on board of the said vessel, from 17th March to 31st May, about the period the said vessel will arrive at her destination, say 76 days, at 1s. each per day.</i>								
			I do not allow this charge, as the Court has decreed that the said vessel was not legally authorized to carry a cargo of slaves, and the Claimant cannot, therefore, I consider, be entitled to the same,								
5	0	0	<i>Claimed for 200 mats deficient from the cargo.</i>								
			I do not allow this charge, as the Master admits that the slaves had for their use, during the time they were under seizure, new mats from the said vessel's cargo, their old ones having become unserviceable from long use; and the quantity deficient not appearing to me more than was absolutely requisite and necessary for the preservation of the health and common comfort of so large a cargo of slaves, during the period in question.								
0	10	0	<i>Claimed for 4 boarding-pikes cut up.</i>								
			Allowed by consent of the Parties								
4	0	0	<i>Claimed for 8 oars deficient.</i>								
			It having been proved that 4 oars were used in fishing the mainyard, which was sprung in the voyage from Rio de Janeiro here, I only allow for 4, which, at the colonial price for hard-wood oars, of 2s. 6d. each, is								
32	0	0	<i>Claimed for 4 coils of new rope deficient.</i>								
			I do not allow this charge, as it was proved on the oath of Mr. Kynaston, Prize Midshipman, that the said rope had been used for the service of, and is now on board, the said vessel.								
10	0	0	<i>Claimed for 2 awnings allowed to be blown overboard during a tornado by the Captors.</i>								
			The Claimant withdrew this charge previous to its being decided upon.								
5	0	0	<i>Claimed for a cask of palm-oil, upset through the carelessness of Captors.</i>								
			This charge was not in any way substantiated: I do not therefore allow it.								
4	0	0	<i>Claimed for 5 fathoms of hemp cable cut up by the Captors.</i>								
			I do not allow this charge, as Lieutenant Denman, the Prize Master, on oath, proved that the part of the cable used was useless as cable; and that the same was made into reef-points and other articles urgently required for the service of the said vessel, and which articles are now on board of her. The Master also admitted that the part of the cable which was so used was twisted in the manner Lieutenant Denman described, and which consequently rendered it useless as cable.								
2	0	0	<i>Claimed for a flag spoiled by being used as a screen by the Prize Officers.</i>								
			The flags of the said vessel having been used as screens by the Captors, but not spoiled as alleged, or much injured, I therefore only allow								
5	0	0	<i>Claimed for repairing the pumps of the said barque.</i>								
			It was acknowledged by the Master, that one of his pumps was choked at the time of seizure; and it was proved by Lieut. Denman's oath, that the only injury to the other pump was by the "spear-iron" breaking into two, from fair wear, during the voyage here from Rio de Janeiro—a reasonable consequence in so long a voyage, from its being the only effective pump on board.								
100	0	0	<i>Claimed for master's wages for 2 months.</i>								
161	1	0	<i>Claimed for sundry stores to replace those worn out on the voyage from Rio de Janeiro to this port, and without which the said vessel cannot proceed to sea.</i>								
£717	7	0	Carried over			£85	9	4	£35	0	0

£.	s.					£.	s.	d.	£.	s.	d.
717	7	0	.	.	.	Brought forward	.	.	85	9	4
									35	0	0

I do not allow the 2 preceding charges, as I am of opinion that they properly come under the head of demurrage, which the Court has not been pleased to decree in this Case .

120 0 0 Claimed for the wages of a crew, 12 in number, for 2 months, at 5*l.* each per month.

This vessel sailed from Angola, with 13 people on board to navigate her, as appears by her muster-roll, 3 only of whom were brought to this port, and are now on board of her. It will therefore be requisite that 10 men be hired here to complete her complement of crew. The Proctor for Captors having objected to the rate of wages charged by the Claimant, and not feeling myself competent to decide the question thus raised, without the opinion of some person experienced in such matters, I therefore called in Mr. George Hodson, a merchant of this Colony, who, being first duly sworn, stated that in his opinion the sum of 60*s.* per month was a sufficient allowance for the men required, he having hired similar persons to navigate vessels hence to England at that rate.

In order to restore the said vessel as near as possible to her condition at the time of seizure, I allow for the wages of the persons requisite to complete her crew as follows, viz. 10 men for 2 months, at 60*s.* each per month.

60 0 0

£940 7 0

145 9 4

£180 9 4

Amounting to the sum of One Hundred and Eighty Pounds, Nine Shillings, and Four-pence.

(Signed) WALTER W. LEWIS, Registrar.

Sierra Leone, 21st March, 1834.

Third Enclosure in No. 34.

British and Portuguese Court of Mixed Commissions, Sierra Leone.

Before William Smith, Esq., His Britannic Majesty's Commissary Judge, and Henry William Macaulay, Esq., His Britannic Majesty's Commissioner of Arbitration in the said Court, as associated with the Commissary Judge aforesaid, in the absence of either of the Commissioners on the part of Her Most Faithful Majesty the Queen of Portugal;—present, Walter W. Lewis, Esq., Registrar, Saturday, the 22d day of March, A.D. 1834.

Barque, "*Maria da Gloria*," Joaquim Gerardo Cordonij, Master.

The Court having heard read the Registrar's Report, and having taken the same into consideration, together with the arguments of the Proctors on both sides respecting the same, conditionally confirm the said Report.

The Court therefore doth award and decree that William Robertson, Esq., the Captor in this Case, do pay unto Joaquim Gerardo Cordonij, the Claimant, or unto his lawful attorney or attorneys, for the use of the Owners and Proprietors of the said barque, "*Maria da Gloria*," the sum of 180*l.* 9*s.* 4*d.*, being for costs of suit and such special damages and expenses as the Registrar has stated the Claimant is entitled to for the detention of his vessel: provided the British and Portuguese Governments agree and declare that the said sum ought to be so paid, according to the true intent and meaning of the Treaty and Convention between Great Britain and Portugal, for the prevention of illicit Slave Trade, but not otherwise.

(Signed) WALTER W. LEWIS, Registrar.

(A true Extract.)

No. 35.

His Majesty's Commissioners to Viscount Palmerston.—(Received June 25.)

MY LORD,

Sierra Leone, 9th April, 1834.

WE had the honour, on the 31st ultimo, to address a Despatch to your Lordship, enclosing our Report of the Case of the Portuguese barque, "*Maria da Gloria*." We now beg leave to inform your Lordship that that vessel sailed from this harbour this morning, bound ostensibly for Monte Video.

Although it has been our duty as Judges to restore the "*Maria da Gloria*," we cannot forbear expressing to your Lordship our deep regret on witnessing the sailing of that vessel with her cargo of unhappy beings, destined to another miserable voyage across the Atlantic.

As men, our feelings have been greatly distressed; and we do most ardently hope that this Case may be the means of enabling your Lordship to make, in due time, such representation to the Government of Portugal as will induce that Power

no longer to delay the total abolition of the Slave Trade, and giving to His Majesty's cruisers such powers as will effectually crush it, should the subjects of Portugal attempt thereafter to carry on that traffic.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 36.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 18.)

MY LORD,

Sierra Leone, 27th June, 1834.

WE have the honour to enclose our Report of the Case of the Portuguese schooner, "*Apta*," Christovao Xavier Vellozo, Master, which was detained, on the 27th December last, by His Majesty's sloop, "*Trinculo*," Acting Commander Warren commanding, in latitude 0° 20' North, longitude 8° 6' East, for being engaged in the illicit traffic in slaves.

The "*Apta*" was a small schooner-boat, built and owned at Princes Island, from which place she cleared out, in the month of November last, for a lawful trading voyage to the adjacent Coast and to the Island of St. Thomas, as appears by the only Papers with which she was supplied, viz. a Register of the crew, and a Passport signed by Jozé Ferreira Gomes, and Antonio de Castello de Vid, jointly intrusted with the Government of the Islands of Princes and St. Thomas.

From Princes Island the "*Apta*" sailed direct to Cape Lopez, and bartered her cargo of rum, tobacco, and dry goods, for slaves, of whom she shipped 54 on the 24th December last, and was fallen in with 3 days afterwards, by the capturing ship, with that number on board, steering for the Island of St. Thomas, the destination marked out in her Passport.

The Captor then carried his prize to Fernando Po, where a strict and careful survey was held upon the vessel; the result of which was, that she was pronounced unseaworthy, and unfit, both from her small size and her crazy condition, to prosecute a voyage to Sierra Leone; and the "*Trinculo*," being obliged to proceed down to the Cape of Good Hope, the slaves and the stores were landed on the 22d January last, and, with the vessel, were delivered into the charge of Lieutenant-Colonel Nicolls, the Commandant and Superintendent of the Island of Fernando Po, where they now remain.

On the 13th instant, Captain Warren, having arrived here in His Majesty's schooner, "*Forester*," brought the "*Apta's*" Papers into the British and Portuguese Court of Mixed Commission, and produced as witnesses the Master and Mate of the detained vessel.

The evidence taken in this Case clearly established the fact of illegal slave trading against the "*Apta*," and her violation of the 2d and 4th Articles of the additional Convention with Portugal of the 28th July, 1817; and of the 1st Article of the Alvará, signed at Rio de Janeiro, 26th January, 1818. The Court therefore pronounced its judgment accordingly, on the 25th instant, condemning the hull, tackle, apparel, and furniture of the "*Apta*" as good and lawful prize to the Crowns of Great Britain and Portugal; declaring it to have been proved, that 54 slaves were on board the "*Apta*" at the time of capture, and subsequently landed at Fernando Po; and emancipating the said slaves, or the survivors of them.

After the condemnation of the "*Apta*" had been pronounced, the Proctor for the Captor petitioned, as usual, that a Commission might issue for the appraisement and sale of the vessel and stores. We stated in reply, that such a Commission would issue when a suitable person could be selected to whom it might be addressed, and when an opportunity offered of transmitting it to Fernando Po.

Two Commissions of this nature were issued on the 9th August, 1824, from the same Court, authorizing Mr. Joseph Gray, at that time Purser of His Majesty's ship, "*Bann*," under the command of Captain George Courtenay, to sell the Portuguese schooner, "*Magdalena*," condemned on the 23d January, 1823, and the Portuguese schooner-boat, "*Maria Piquena*," condemned on the 14th July, 1824, both of which vessels had been left at Princes Island, in charge of the Portuguese Governor. In each Case the Commission was returnable, with Account-

Sales, and Proceeds, in 8 months: no return, however, has ever been made; as Mr. Gray appears to have died on the coast shortly afterwards.

We propose in this Case to grant a Commission of the same nature, as soon as possible, and it shall be our object to see that it is punctually executed.

Immediately after the condemnation of the "*Apta*," and the emancipation of the 54 slaves who were landed from her at Fernando Po, a Letter was addressed to His Excellency the Lieutenant-Governor, informing him of the circumstance. In this respect we followed the course which had been marked out for us by our predecessors (Messrs. Gregory and Hamilton) in the Case of the Spanish schooner, "*Maria la Luz*," condemned on the 8th September, 1823, where the emancipated slaves of that vessel, to the number of 183, had been landed at Cape Coast.

Before we take leave of this Case, we beg respectfully to call your Lordship's attention to the sanction and connivance which the Portuguese Authorities of the Islands of Princes and St. Thomas continue to show to the worst description of illegal Slave Trade.

The "*Apta*," according to the evidence of the Master, was only 30 feet long, and 11 feet in beam; and she was made to carry 54 slaves, together with a crew of 10 persons and 1 passenger, making 65 persons altogether.

Former instances on record prove how much the sufferings, which the slaves must experience from the smallness of such vessels as the "*Apta*" trading between the Islands and the adjacent Coast, are increased and prolonged by the ignorance of the Masters, who are generally imperfectly acquainted with navigation, particularly if they meet with bad weather. We trust that some means may be adopted to compel a stricter attention to their duties, on the part of the Portuguese Authorities; and that the execution of the Alvará of His Most Faithful Majesty, dated at Rio de Janeiro, 26th January, 1818, may be, at the present time, urged upon the Portuguese Government, with better success than formerly. If the penalties of the 1st Article of that Law be honestly enforced, we are persuaded that adventurers, however bold, will hesitate to embark in a speculation like that in which the Owners of the "*Apta*" were engaged, with the prospect of such a speculation being followed by the confiscation of the vessel and her lading, and by the fining and banishment of the Master and Supercargo.

We have, &c.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 36.

Report of the Case of the Portuguese schooner, "Apta," Christovao Xavier Vellozo, Master.

THIS vessel was furnished with 2 documents from the Island of Princes, to which she belonged. The first, in point of time, is dated at Princes Island, the 28th October, 1833, and purports to be a "Register of the crew of the Portuguese schooner, called '*Apta*,' the property of Christovao Xavier Vellozo, about to prosecute her voyage to the Ports of the adjacent Coast, and the Island of St. Thomas, on lawful trading." Attached to the List of the crew is a Certificate of its registry, signed by "João Maria de Souza e Almeida, Secretary of the Royal Custom-House, Receiver-General and Superintendent of Marine and other Departments connected with it."

The other document is a Passport, dated at the City of St. Antonio in Princes Island, on the 5th November, 1833, and signed by "Jozé Ferreira Gomes, Knight of the Order of Christ, Auditor-General, President of the Commercial Board, and Colonel of the Forces of His Majesty, and by Antonio Castello de Vid, principal ecclesiastic of the Bishopric, both intrusted with the general government of the Islands of Princes and St. Thomas." This Passport authorizes Christovao Xavier Vellozo, the Master and Proprietor of the Portuguese schooner, "*Apta*," of the Island of Princes, to prosecute a voyage of lawful commerce to the Ports of the adjacent Coast and the Island of St. Thomas.

Having obtained these Papers, C. X. Vellozo sailed direct to Cape Lopez, situated about 1 degree South of the Line, with a cargo consisting of rum, tobacco, dry goods, guns, and iron bars, which he bartered for a return-cargo of 54 slaves, with whom he was proceeding to his destination, the Island of St. Thomas, when fallen in with and detained, on the 27th December last, by His Majesty's sloop, "Trinculo," Acting Commander Warren commanding, in latitude 0° 20' North, longitude 8° 36' East, for being engaged in the illicit traffic in slaves, contrary to the Treaties existing between His Majesty and His Most Faithful Majesty, the King of Portugal.

His Majesty's sloop, "Trinculo," being obliged to proceed down to the Cape of Good Hope, and the prize schooner being only 30 feet in length, and therefore too small to attempt a voyage to Sierra Leone, both the vessel and her stores, with the slaves on board of her, were left in the charge of Lieutenant-Colonel Nicolls, Commandant and Superintendent of Fernando Po, who, on the 2d January, 1834, (6 days after the capture was made,) gave full Receipts for the same.

Richard Laird Warren, Esq., the Acting Commander of the "Trinculo" [at the time when the "Apta" was captured, arrived at this place late on the evening of the 12th instant, in His Majesty's schooner, "Forester," on his way to join His Majesty's ship, "Ætna," to the command of which he had been appointed.

On the 13th instant, the "Apta" was regularly brought before the British and Portuguese Court, on the Petition of the Proctor for the Captor, that the Affidavit of Captain Warren, authenticating the Papers of the detained vessel, might be received and filed, as also the Receipt for the stores left, and the slaves landed, at Fernando Po, from the said vessel; that a Monition might issue, and that evidence might be taken. The Proctor's Petition was granted. The Captor's Declaration was, at the same time, filed. The witnesses in preparatory, produced by the Proctor, were Christovao Xavier Vellozo, the Master, and Domingo Perez, who is named in the List of the crew as the Chief Officer or Pilot of the "Apta."

The Captor's Declaration is to the following effect: "I, Richard Laird Warren, Acting Commander of His Britannic Majesty's sloop, "Trinculo," hereby declare that, on this 27th day of December, 1833, being in or about latitude 0° 20' North, longitude 8° 6' East, I detained the schooner or vessel named 'Apta,' sailing under Portuguese colours, armed with 2 guns, 1 pair of pistols, and 3 cutlasses, and commanded by Christovao Xavier Vellozo, who declared her to be bound from Cape Lopez to St. Thomas, with a crew consisting of 12 men, and 3 passengers, whose names, as declared by them respectively, are inserted in a List at the foot hereof, and having on board 54 slaves, said to have been taken on board at Cape Lopez on or about the 24th day of December, 1833."

The facts stated in this Declaration were verified by the Affidavit of the Captor, filed on the same day, who further deposes therein, "that the said vessel 'Apta' was in so defective a state after seizure, that he ordered her to be taken to the Island of Fernando Po, at which place he, the said deponent, caused a survey to be held upon her, whereupon she was pronounced unseaworthy, as will more fully appear by the Report of survey herewith produced, and in consequence thereof the slaves on board the said vessel were disembarked (54 in number) at the said Island, and were delivered over, together with the stores of the said vessel, unto Colonel Edward Nicolls, the Superintendent thereof, as per Receipts, herewith also produced."

The Report of survey on the state of the "Apta," referred to above, is dated at Fernando Po, 2d January, 1834, and is signed by the first Lieutenant and Carpenter of the capturing ship, and by the first Lieutenant and Master of His Majesty's ship, "Curlew," then at Fernando Po. The surveyors state, that "after a strict and careful survey on the Portuguese schooner, 'Apta,' they found 8 butt-ends started, her stern and stern-post loose, and the bolts of the chain-plates drawn, and were of opinion that she was not sea worthy, nor fit to prosecute her voyage to Sierra Leone; and they further declared, that the survey had been taken with such care and equity that they were ready to make oath as to the correctness of their proceedings."

The other document, referred to in Captain Warren's Affidavit, is also dated at Fernando Po, on the 2d January, 1834, and contains a detailed List of the stores landed from the "Apta" at that Island, and the receipt of Colonel Nicolls, the Commandant, for the same.

There was no separate Receipt given by Colonel Nicolls for the 54 slaves landed from the "Apta," but they are included in a Receipt for 108 slaves, dated 2d January, 1834, being the number of slaves landed on that day from the "Apta," and from another Portuguese schooner, called the "Santissimo Rozario e Bom Jezuz." This will more fully appear in our Report of the Case of the latter vessel, which accompanies the present.

The above Papers having been received and filed, the usual Monition, calling upon all parties interested in the vessel to appear, was issued on the same day, the 13th instant, and was returned into Court on the 20th instant, certified by the Acting Marshal to have been duly served.

On the 14th instant, the witnesses produced in the Case were examined on the standing Interrogatories. The Master, C. X. Vellozo, deposed, "that he was born at Princes Island; has always resided there; is a subject of Portugal; is not married; was appointed to the command of the 'Apta' by the Owner, Don Maria Xavier, who lives at Princes, and is a subject of Portugal; has known the vessel about a year; first saw her at Princes, where she was built; was on board the said vessel when she was taken; she was seized for having slaves on board; had Portuguese colours of Don Miguel; and had no others on board; the vessel is called 'Apta,' and has always been known by the same name; does not know her tonnage; but she was very small, being about 30 feet long, and 11 feet beam; had 1 mate and 8 seamen, who were all natives of Princes or St. Thomas, and were all shipped at Princes in November last; had 1 Passenger, named Manuel, who was an old sailor going to Princes, besides the 54 Negroes, of whom his cargo consisted; the voyage began at Princes, and was to have ended at St. Thomas; Princes was the last clearing-port from which he sailed, previous to capture; went thence direct to Cape Lopez, to purchase a cargo of slaves; was taken in 20 minutes North latitude; saw the capturing ship a few hours before he was taken, on the 27th December; was steering, as near as the wind permitted, for St. Thomas, when he first saw the capturing ship; kept away to escape, but seeing the English flag, hove to, and hoisted his Ensign; from the time of leaving Cape Lopez, made the best of his way to St. Thomas; had 2 guns mounted, one pair of pistols, 3 cutlasses, 6 muskets, a small quantity of powder for ship's use, and 100 weight left from the trade goods, to defend themselves from the native canoes which frequently plunder small vessels; had no orders to resist, as the trade is considered a contraband one, but to escape if he could; received his instructions verbally: the Owner is Don Maria Xavier; knows it because he received the command of the vessel from him; the Owner is a native of Princes, and lives there with his family, who are all subjects of Don Miguel, and have always resided on the Island; the vessel was built by the Owner, and is entirely his property; he also owns a greater part of the slaves, some of whom belonged to different individuals at St. Thomas, whose names he does not know; the slaves were all to have been landed at St. Thomas, on account of the Owner of the vessel, and the other parties concerned; the vessel took on board at Princes, for Cape Lopez, the usual trade cargo of rum, tobacco, dry goods, guns, and iron bars; the present cargo was 54 slaves, all shipped at Cape Lopez, and none had died previous to capture; is not aware how many have died since; the vessel was taken to Fernando Po; the Papers delivered to the capturing Officer were true; was not provided with any Passport for carrying slaves; none of the Papers on board, when he left Princes, have been destroyed or concealed; the vessel was taken to Fernando Po, being too small to make the voyage to Sierra Leone."

The evidence of the Pilot, Domingo Perez, given on the same day, corroborates that of the Master in every point.

A Court assembled for the adjudication of the "*Apta*" on the 25th instant. The evidence had clearly established the fact of illegal Slave Trade, even by the admission of the Parties concerned in the transaction. The "*Apta's*" slaves had been shipped at Cape Lopez, about one degree South of the Equator, at a place consequently where the Slave Trade is not permitted by Treaty to Portuguese subjects; the limits in which such trade is lawful being from 5° 12' to 18° South latitude. The destination of the "*Apta*," carrying, as she did, a cargo of slaves, was also illegal; for it was not to supply a transatlantic Possession of the Crown of Portugal, but the Island of St. Thomas, that she was so employed. At the time of her capture, therefore, by a duly authorized ship of His Majesty, the "*Apta*" was clearly liable to detention, for being engaged in illicit Slave Trade, in direct opposition to the 2d and 4th Articles of the Additional Convention with Portugal, of the 28th July, 1817, and the 1st Article of the Alvará of His Most Faithful Majesty, dated at Rio de Janeiro, the 26th January, 1818.

The Court accordingly pronounced Sentence of condemnation against the Portuguese schooner, "*Apta*," C. X. Vellozo, Master, as good and lawful Prize to the Crowns of Great Britain and Portugal, and, as such, captured by His Majesty's sloop, "*Trinculo*," Acting-Commander Warren commanding. The Court further declared it to have been proved that there were 54 slaves on board the "*Apta*" at the time of her capture, and that the same number were landed at Fernando Po; and it decreed the emancipation from slavery of the said 54 slaves, or the survivors of them.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

Sierra Leone, 27th June, 1834.

No. 37.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 18.)

MY LORD,

Sierra Leone, 27th June, 1834.

WE have the honour to enclose our Report of the Case of the Portuguese schooner, "*Santissimo Rozario e Bom Jezuz*," Francisco Silvestre, Master, which was captured by His Majesty's sloop, "*Trinculo*," Richard Laird Warren, Esq., Acting Commander, on the 28th December last, in latitude 1° 7' North, longitude 7° 47' East, with 54 slaves on board.

The Case of this vessel is so exactly similar, in all its material points, to that of the Portuguese schooner, "*Apta*," Christovao Xavier Vellozo, Master, reported in the other Despatch which we have had the honour this day to address to your Lordship, that there is little occasion for further remark than the Case of the "*Apta*" has elicited.

The registered List of crew from the Office of the Secretary of Customs at Princes, and the Passport granted by the Government of that Island to the "*Santissimo Rozario e Bom Jezuz*," are dated on the 11th November last. The "*Apta's*" List of crew is dated 14 days earlier, and her Passport only 6 days earlier. The Papers of both vessels are in exactly the same form, written by the same hand, and signed by the same persons. The vessels were about equal in size, and sailed from the same port direct to Cape Lopez. Both embarked the same number of slaves, on the same day, and at the same place. Both were captured by His Majesty's sloop, "*Trinculo*," and carried to Fernando Po together, where they now lie, the stores and slaves of each having been landed, and delivered into the charge of Colonel Nicolls, the Commandant and Superintendent of that island. Both vessels were brought into the British and Portuguese Court of Mixed Commission on the same day, and the evidence against each having been equally conclusive, both were condemned on the same occasion. The only dissimilarities in the Cases of the two vessels are, that they had different Owners, and that one was bound to the Island of St. Thomas, whilst the other was bound to the Island of Princes.

After the condemnation of the "*Santissimo Rozario e Bom Jezuz*," on the 25th instant, the Proctor for the Captor prayed, at the sitting of the Court, that the usual Commission of Appraisement and Sale might issue, for the disposal of the vessel and stores. An answer was returned, as in the former Case, that a Commission would issue, whenever an opportunity offered of transmitting it to a proper person at Fernando Po.

The fact of the 54 slaves, who formed the cargo of this vessel, having been landed at Fernando Po, and emancipated by a Decree of the British and Portuguese Court, was communicated officially to His Excellency the Lieutenant-Governor of the Colony, the same day on which the vessel was adjudicated.

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The Case of the "*Santissimo Rozario e Bom Jezuz*" affords an additional proof of the extent to which illegal Slave Trade is carried on between the Islands of Princes and St. Thomas, and the adjacent coast; and the activity of this traffic is further attested by the fact, that this vessel, which embarked her slaves at the same time and place as the "*Apta*," only occupied 6 weeks in going to and returning from Cape Lopez, and taking on board a full cargo of slaves; for she appears to have been within a short distance of her destination, the Island of Princes, at the time of her capture.

We have, &c.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 37.

Report of the Case of the Portuguese schooner, "Santissimo Rozario e Bom Jezuz," Francisco Silvestre, Master.

THE circumstances of this Case resemble so closely, in every respect, those of the Portuguese schooner, "*Apta*," that our present Report will be merely a recapitulation of that which we have had the honour this day to make, in the Case of the vessel referred to.

The "*Santissimo Rozario e Bom Jezuz*," was supplied with 2 Papers from Princes Island, to which place she belonged. One, dated on the 11th November last, is called "a Register of the crew of the Portuguese schooner, named the '*Santissimo Rozario e Bom Jezuz*,' the property of Maria da Graça, bound to Cape Lopez, on a voyage of lawful traffic." After the List of the crew, which consists of the Master, Mate, Boatswain, Supercargo, 4 seamen, and 5 servants, follows a Certificate of its registry by João Maria de Souza e Almeida, Secretary of the Royal Custom-House.

The other Paper, dated also on the 11th of November last, is a Passport from Jozé Ferreira Gomes, and Antonio de Castello de Vid, jointly entrusted with the government of Princes Island and St. Thomas, "granting permission to Francisco Silvestre, Master of the Portuguese schooner, '*Santissimo Rozario e Bom Jezuz*,' to prosecute a voyage to Cape Lopez, on lawful business."

Thus furnished with all the documents which he considered necessary to protect him from interference on the part of the Portuguese Authorities, Francisco Silvestre sailed to Cape Lopez, where his Passport permitted him to engage in lawful trade. He there completed the real object of his voyage, by taking on board a return-cargo of slaves, of whom he embarked 54 on the 24th December last, part on account of the Owner of the vessel, and the remainder on freight.

Four days after leaving Cape Lopez, the "*Santissimo Rozario e Bom Jezuz*" was fallen in with by his Majesty's sloop, "Trinculo," Richard Laird Warren, Esq., commanding, in latitude 1° 7' North, longitude 7° 47' East, steering direct for Princes, and was detained for being engaged in the illicit traffic in slaves, in contravention of the Treaties between His Majesty and His Most Faithful Majesty on that subject.

After capture, the "*Santissimo Rozario e Bom Jezuz*," was carried by Captain Warren, in company with the "*Apta*," taken on the previous day, to the Island of Fernando Po, where a survey was held upon the vessel, which was thereupon declared to be unseaworthy; her slaves and stores were landed, and Receipts taken for the same from Lieutenant-Colonel Nicolls, Commandant and Superintendent of Fernando Po.

Late in the evening of the 12th instant, Captain Warren, who had in the meantime been obliged to carry his Majesty's sloop, "Trinculo," down to the Cape of Good Hope, arrived at this place in his Majesty's schooner, "Forester," and immediately commenced proceedings against the detained vessel in the British and Portuguese Court of Mixed Commission.

On the 13th instant, the Proctor for the Captor petitioned, on behalf of the Commander, Officers, and crew, of his Majesty's sloop, "Trinculo," that Captain Warren's Affidavit, authenticating the ship's Papers and the Receipts given at Fernando Po, for the slaves landed and the stores left there, might be received and filed; that evidence might be taken; and that the Monition, citing all parties interested in the vessel to appear on a certain day, might issue. The Petition to this effect was granted. The only witness in preparatory named by the Proctor was Francisco Silvestre, the Master.

The Captor's Declaration, filed in the Registry of the Court on the same day, is as follows: "I, Richard Laird Warren, Acting Commander of his Majesty's sloop, 'Trinculo,' hereby declare that on the 28th December, 1833, being in or about latitude 1° 7' North, longitude 7° 47' East, I detained the schooner or vessel, named the '*Santissimo Rozario e Bom Jezuz*,' under the colours of Princes Island, (white flag and red cross,) armed with 2 guns, 8 muskets, and a pair of pistols, and commanded by Francisco Silvestre, who declared her to be bound from Cape Lopez to Princes Island, with a crew consisting of 12 men, and 3 passengers, and having on board 54 slaves, said to have been taken on board at Cape Lopez, on or about the 24th December, 1833."

The above facts were attested by the Affidavit of the Captor, filed on the same day, who further declares therein, "that the said vessel was in so defective a state after seizure, that she was taken to the Island of Fernando Po, at which place he (the said deponent) caused a survey to be held upon her: whereupon she was pronounced unseaworthy, as will more fully appear by the Report of the survey herewith produced; and, in consequence thereof, the slaves on board the said vessel were disembarked (54 in number) at the said island, and delivered over, together with the stores of the said vessel, unto Colonel Nicolls, the Superintendent thereof, as per Receipts, herewith also produced."

Of the Papers referred to in the above Affidavit, the Report of Survey, dated on the 2d January, 1834, and signed by the Senior Lieutenant and Carpenter of the capturing ship, and by the Senior

Lieutenant and Master of his Majesty's sloop, "Curlew," then at Fernando Po, states: "We, whose names are hereunto subscribed, have been on board the Portuguese schooner, '*Santissimo Rozario e Bom Jezuz*,' of 14 tons, captured by his Majesty's sloop, '*Trinculo*,' on the 28th December, 1833, and having held a strict and careful survey upon her, we find that her stern and stern-post are separated from her deadwood; her beams started from the fastenings; that she makes a foot of water in one hour whilst at anchor; and that her whole frame is in a state of decay. And we are further of opinion, that the vessel is altogether unseaworthy, and unfit to prosecute her voyage to Sierra Leone; and we further declare, that we have taken this survey with such care and equity, that we are ready to make oath as to the correctness of our proceedings."

Another of the Papers is a Receipt, affixed to a minutely-detailed List of the stores of the detained vessel, which were landed at Fernando Po, signed by Colonel Nicolls, on the 2d January, 1834.

The other Paper alluded to is a Receipt, on the same day, and from the same officer, for the slaves, landed at the same place from both the Portuguese schooners, "*Apta*," and "*Santissimo Rozario e Bom Jezuz*," as well as for the vessels themselves. It is to the following effect:—

"This is to certify, that on the 2d January, 1834, there were landed at this establishment, from his Majesty's sloop, '*Trinculo*,' Richard Laird Warren, Esq., Acting Commander, 108 slaves, as follows, the cargoes of the schooners, '*Apta*,' and '*Santissimo Rozario e Bom Jezuz*':—

Men	.	.	.	.	34
Women	.	.	.	.	20
Boys	.	.	.	.	39
Girls	.	.	.	.	15

and also the stores enumerated in the accompanying Lists, belonging to the afore-mentioned schooners. The vessels themselves, being found by survey unfit to prosecute the voyage, have consequently been properly secured, until the decision of the Commission Court is known; and also a Packet addressed to the Commissioners of the Slave Court at Sierra Leone, said to contain the detained vessel's Papers, which I requested to be forwarded by the earliest opportunity."

(Signed)

EDWARD NICOLLS,

Lieutenant-Colonel and Superintendent."

It would have been more correct to have given separate Receipts for the different vessels, and for the slaves landed from each respectively. But their being blended together in this form will sufficiently account for their non-appearance in the proper place.

On the same day in which all the above Papers were received and filed, the usual Monition was issued, and it was returned into the Registry of the Court, on the 20th instant, with the Certificate of the Marshal that it had been duly served.

The only witness produced in this Case, Francisco Silvestre, the Master of the detained vessel, was examined on the standing Interrogatories on the 14th instant, and deposed "that he was born at the Island of Princes, and has always resided there; is a subject of Don Miguel, and has never been a subject of any other state than Portugal; is married, and his wife and family reside at Princes; was appointed to the command of the vessel by Señor Maria de Graça, who lives at Princes Island, and is a subject of Don Miguel; took command of the vessel at Princes Island in November last; has known her about a year, and first saw her at Princes, where she was built; was present at the capture of the vessel, which was seized for having slaves on board; was under Portuguese colours, and had no others on board; the vessel's name is '*Santissimo Rozario e Bom Jezuz*,' and has never had any other name, to his knowledge; does not know her tonnage exactly, but thinks she is 8 tons; had 1 mate; forgets how many seamen, all of whom were natives of Princes, and were shipped at Princes at the same time by order of the Owner; had no interest in either the vessel or cargo, nor had any of the people; was Captain of the vessel, and had 2 or 3 passengers on board, besides the 54 slaves; did not attempt to hide any of them; does not know the names of the passengers, who were natives of Princes, and had been to the main land to trade, and owned a portion of the negroes, who were shipped at Cape Lopez; the voyage began at Princes, and was to have ended there; Princes was the last clearing-port; sailed thence to Cape Lopez to make trade, and took slaves on board, partly on freight, and part for the Owner; was taken in about 1° 7' North latitude, in the month of December, on a Sunday; saw the capturing ship only an hour or two before capture; was steering direct for Princes Island, when he saw the capturing ship; gave himself up, and lowered his sails; had 2 small guns, 2 pistols, 6 muskets, and a little powder on board; made no resistance; had no orders to resist, but to get away if he could; received his instructions verbally; Señor Maria da Graça was the Owner of the vessel; he (the Owner) is a native of Princes, and lives there with his family, who are also natives of the place; the present Owner built the vessel, and she is entirely his property; the cargo to the coast consisted of tobacco, gunpowder, rum, and guns; had no cargo on his return but slaves, which amounted in number to 54; they were all taken on board at Cape Lopez; none died previous to capture; after capture, the vessel was taken to Fernando Po, and the slaves were landed there; the Papers found on board were all true; the vessel was taken to Fernando Po, as being too small to perform the voyage to Sierra Leone."

No other witness was produced by the Captor in this Case; but the evidence already taken was abundantly sufficient to prove that the detained vessel was engaged in illegal Slave Trade at the time of her capture; and the 25th instant was appointed for her adjudication, which took place on that day, after the Case of the "*Apta*" had been decided on. The Sentence of the Court was, that the Portuguese schooner, "*Santissimo Rozario e Bom Jezuz*," Francisco Silvestre, Master, her hull, tackle, apparel, and furniture, be condemned as good and lawful prize to the Crowns of Great Britain and Portugal, for being engaged in the illicit traffic in Slaves, in violation of the 2d and 4th Articles of the Additional Convention with Portugal of the 28th July, 1817. The Court further decreed, that there were 54 slaves on board the "*Santissimo Rozario e Bom Jezuz*," at the time of her capture by a duly authorized ship-of-war of His Majesty; that the same number of slaves were subsequently landed at Fernando Po; and that the said 54 slaves, or the survivors of them, be emancipated from slavery.

(Signed)

OCT. TEMPLE.
H. W. MACAULAY.

Sierra Leone, 27th June, 1834.

No. 38.

His Majesty's Commissioners to John Backhouse, Esq. (Received September 12.)

SIR,

Sierra Leone, 1st July, 1834.

IN pursuance of the 75th clause of an Act passed in the 5th year of the reign of His late Majesty, entitled "an Act to amend and consolidate the laws relating to the Abolition of the Slave Trade," we have the honour to transmit enclosed a Return of all Cases of Portuguese vessels adjudicated in the British and Portuguese Court of Mixed Commission, established at Sierra Leone, in the period from the 1st of January, 1834, to this date.

We have, &c.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

John Backhouse, Esq.
&c. &c. &c.

Enclosure in No. 38.

Return of Portuguese vessels adjudicated by the British and Portuguese Court of Mixed Commissions, established at Sierra Leone, betwixt the 1st day of January and the 1st day of July, 1834.

Name of Vessel.	Date of Seizure.	Where captured.		Property seized.	Seizor.	Date of Sentence.	Number of Slaves Captured.	Numbered before Adjudication.	Total Emancipated.	Decretal part of Sentence, whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold, and in whose hands the Proceeds remain.
		Latitude.	Longitude.								
Maria da Gloria.	1833. 25th Nov.	24° 11' S.	42° 40' W.	{ Bark and 423 slaves.	{ W. Robertson, Esq., H. B. M. sloop, "Snake."	1834. 15th March.	423	104	..	Restitution.	{ Bark and 309 slaves restored to the Master for the Owners and Proprietors thereof.
Apta. . . .	27th Dec.	0° 20' N.	8° 6' E.	{ Schooner and 54 slaves.	{ R. L. Warren, Esq., H. B. M. sloop, "Trinculo."	25th June.	54	..	54*	{ Condemned for being engaged in the illicit traffic in slaves.	{ Schooner and stores left in charge of Col. Nicolls, Commandant and Superintendent of Fernando Po.
Santissimo Rozario e Bom Jezuz.	28th Dec.	1° 7' N.	7° 47' E.	{ Schooner and 54 slaves.	{ R. L. Warren, Esq., H. B. M. sloop, "Trinculo."	25th June.	54	..	54*	Ditto ditto.	Ditto ditto.

* The slaves belonging to the "Apta" and "Santissimo Rozario e Bom Jezuz" were landed at Fernando Po, on the 2d day of January, 1834, in consequence of both vessels being too small to perform a voyage to Sierra Leone.

(Signed) OCT. TEMPLE.
H. W. MACAULAY.

Sierra Leone, 1st July, 1834.
(Signed) JOHN SALTER, *Acting Registrar.*

No. 39.

His Majesty's Commissioners to Viscount Palmerston.—(Received September 26.)

(Extract.)

Sierra Leone, 6th July, 1834.

WE have the honour to enclose our Report of the Portuguese brig, "*Tamega*," Jozé Lopez Ferreira, Master, which was condemned on the 12th instant, in the British and Portuguese Court of Mixed Commission established in this place.

Little can be ascertained of the movements of the "*Tamega*" previous to the voyage in which she was detained. The evidence of her present Master is obviously improbable and false; and the endorsements on the vessel's Passport are the only means which we possess of forming a conclusion upon the subject.

But we are led by those endorsements, coupled with the confession of the Master, that he had carried a cargo of gold dust and ivory from Lagos to Bahia on the last voyage, to suspect that at least one successful slave-trip had been made by the "*Tamega*" before her capture.

The Passport referred to is dated at Lisbon, on the 31st January, 1833, and is signed by the Conde de Basto, at that time the Portuguese Minister of Marine.

It declares the "*Tamega*" to be owned by Manuel Jozé Machado, a Portuguese merchant resident at Lisbon; and it authorizes her to proceed from Gibraltar to Lisbon, Rio de Janeiro, or Bahia, and Ports on the Coast of Africa, to return to Lisbon.

Nine months afterwards, on the 4th October, 1833, this Passport was endorsed, as registered in the Portuguese Consulate at Bahia, by Francis Antonio Filgueiras, the Portuguese Vice-Consul, and again, in the same place, and by the same Officer, on the 18th of February in this year, when the vessel cleared out, under the command of her present Master, for Gibraltar "and Ports on the Coast of Africa, according to her Royal Passport of the 31st January, 1833."

From Bahia the "*Tamega*" appears to have come direct to the river Lagos, where she took on board a cargo of more than 440 slaves, and within a short distance of that river, situated 6' North of the Equator. She was detained by His Majesty's brig, "*Charybdis*," Samuel Mercer, Esq., commanding, on the 14th ultimo, for being engaged in the illicit traffic in slaves. She was then sent up to Sierra Leone, and arrived in this harbour on the 4th instant, with 436 slaves on board.

The Case was regularly brought before the British and Portuguese Court of Mixed Commission; and the usual preliminary proceedings having been gone through, and the necessary evidence having been taken, the Court pronounced its Sentence of condemnation on the vessel and her cargo on the 21st instant, and emancipated the surviving slaves, 436 in number.

The ownership of the "*Tamega*" and slaves captured on board of her are subjects for remark. If the Master is to be believed at all, both the vessel and her cargo were the sole property of Jozé Manuel Machado, a Portuguese merchant residing at Lisbon, and who is so described in the Passport granted by the Conde de Basto. With him the Master states he corresponded as to the employment of the brig, and from him received his pay. The Master further declares of himself, that he resides at Lisbon, with his wife and family. If the Portuguese Government be really sincere in their professed desire of suppressing illicit Slave Trade by Portuguese vessels, and of punishing their subjects, when convicted of a participation in such illegal proceedings, an opportunity is now afforded them of proving the sincerity of their professions.

(Signed)

OCT. TEMPLE.
H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

Enclosure in No. 39.

Report of the Case of the Portuguese brig, "Tamega," Jozé Lopez Ferreira, Master.

IN this Case the only Ship's Papers which fell into the hands of the Captor are, a Passport from the Conde de Basto, Minister of Marine at Lisbon, which is dated at Lisbon, 31st January, 1833, and a Matricula, or List of Crew, from the Portuguese Vice-Consul at Bahia, dated 18th February, 1834.

The Passport given to the "*Tamega*" declares her to be owned by Manuel Jozé de Machado, and to be commanded by Jozé Antonio Teixeira da Costa; and it authorizes her to proceed from the Port of Gibraltar to Lisbon or Rio de Janeiro, Bahia, and the Ports on the Coast of Africa, to return to Lisbon.

An endorsement on the Passport states that it has been registered in the Portuguese Consulate at Bahia, on the 14th October, 1833, and a second endorsement by Francisco Antonio Filgueiras, the Portuguese Vice-Consul at Bahia, on the 18th February, 1834 (the same day on which the Matricula was signed by him), names Jozé Lopez Ferreira Master, and authorizes the "*Tamega*" to proceed to Gibraltar and such Ports on the Coast of Africa as he pleases. The Matricula also states that the "*Tamega*" was about to "prosecute a voyage to Gibraltar and Ports on the Coast of Africa, according to her Royal Passport of the 31st January, 1833."

The evidence of the Master, as almost always happens in Portuguese Cases, is so obviously false, that no dependence can be placed upon it; but, from the endorsement on the Passport, as well as from the confession of the Master, that the "*Tamega*" had made a previous voyage from Bahia to the River Lagos, there is good ground for suspecting that the present was by no means the only slaving voyage in which this vessel has been engaged.

The "*Tamega*" appears to have come direct from Bahia to Lagos, and there to have embarked a full cargo of slaves, with which she was leaving the coast when happily fallen in with and detained by His Majesty's brig, "*Charybdis*," Lieutenant Samuel Mercer commanding, in latitude 5° 28' North, longitude 3° 20' East, on the 14th June, 1834.

The arrival of the "*Tamega*" in this harbour, with 436 slaves on board, was reported by the Acting Marshal on the 4th instant; and she was, on the same morning, visited by the Surgeon to the

Courts, who stated in his Report that "2 slaves (a boy and a girl) were apparently in the last stage of disease, and several were affected with itch; that some also were much emaciated, but without evident disease; but that the general appearance of the slaves was healthy." The Surgeon, however, recommended that the slaves should be landed as soon as possible, on account of the crowded state of the vessel, the inadequate means of ventilation on board, and the inclement season of the year. This recommendation was immediately carried into effect. His Excellency the Lieutenant-Governor having, in reply to an application from his Majesty's Commissioners on the subject, issued orders for their reception into the Liberated African Yard pending adjudication.

On the same day, the "*Tamega*" was admitted into the British and Portuguese Court of Mixed Commission, on the Petition of the Proctor for the Captor that the ship's Papers might be received into the Registry of the Court; that the Captor's Declaration might be filed; and that the usual Monition, calling upon all parties interested in the vessel to appear by a certain day, might issue.

The Declaration was accompanied by an Inventory of stores and furniture on board the prize at the time of capture, signed by the Portuguese Master of the vessel and the 2 Prize Officers who brought her up to Sierra Leone.

The Affidavit of the Prize Master was then taken and filed, in order to verify the facts stated in the Captor's Declaration and to authenticate the ship's Papers which had been delivered into the Registry.

On the 5th instant, the examination of the witnesses by the Registrar on the standing Interrogatories was concluded. The Master deposed "that he was born in Portugal; lives in Lisbon; has resided there 40 years; is a subject of Portugal, and has never been a subject of any other state; is married, and his wife and family reside at Lisbon; was appointed to the command of the detained vessel by the Owner, who lives at Lisbon, and is a subject of Portugal; took command of the vessel about 3 months since at Gibraltar, from the former Captain, a native of Tuscany, whose name he does not remember; has known the brig a year and a half; saw her first at Malaga; believes she is Spanish built; was present when the vessel was taken; does not know why she was taken; was taken under Portuguese colours (Don Miguel's), and had no others on board, except one English flag; the vessel is named '*Tamega*,' and has been so called a year and a half; does not know of any other name; she is about 64 tons; had 21 Officers and men on board, all Portuguese, who were shipped by himself at the Brazils; had no interest in the vessel beyond his pay, nor had any of the Officers or crew; was Master of the detained vessel; had no passengers except the negroes; did not attempt to conceal them; took the negroes on board on the 11th June, and was to have taken them to the Havana; when he left Gibraltar, took with him a cargo of salt and wine, with which he traded from Cape Mesurado to Lagos, and sailed from thence with gold dust and ivory for Bahia, which port he left when he commenced the present voyage; saw the capturing ship in latitude 11° 28' North, and longitude 3° 58' East, on the 11th June, and was taken a few miles from there, after a chase of about 4 hours; was steering off the Coast when he saw the capturing ship, and was under all sail, which he continued, and made no alteration in the vessel's course; she had 2 guns mounted, which were thrown overboard when she was chased, and also a small quantity of ammunition, with the cutlasses, the muskets, and 1 pistol; the guns were for making signals, and the other arms to control the negroes; made no resistance, nor had he any orders to destroy his Papers; the Owner of the vessel is Manuel Machado; knows him to be so, because he receives his pay from him; the Owner is a Portuguese; he resides at Lisbon, and always has resided there; he is not married; a Bill of Sale was made for the vessel at Malaga, but by whom he does not know; saw the Bill of Sale at Malaga; the cost of the vessel was 2,400 dollars, which is a fair price; believes the transfer to have been truly made, and, if restored, the vessel will be the property of the before-named Owner; the negroes belong to the Owner of the vessel, and were to have been delivered at the Havana to a Spaniard, whose name he forgets, on the Owner's account; has no doubt that, if they were delivered up, they would be the property of the Owner above-mentioned, having no reason to think the contrary; took tobacco and rum to the Coast from Bahia; the present cargo of the detained vessel consisted of 440 negroes; does not know the respective numbers of men, women, and children; they were all taken on board at Lagos, at the same time; none had died before capture; believes 6 or 8 have died on their passage to Sierra Leone, to which the vessel came direct; the Papers delivered up are true; had no Passport authorizing him to carry slaves; none of the Papers on board when he sailed from Bahia have been destroyed or concealed; does not know of any Papers besides those delivered to the capturing Officer; knows nothing of any Charter-party for the present voyage; does not know if either vessel or cargo are insured; corresponds with the Owner only concerning the employment of the brig; bulk was not broken before the vessel arrived at Lagos."

Domingo Alva da Silva, one of the crew of the detained vessel, was also examined on the standing Interrogatories on the same day. He deposed "that he has known the brig about 10 months; saw her first at the Brazils; her name is '*Tamega*,' has heard she was formerly called '*Polombo*,' about 17 months ago; she had a crew of 21 men, Officers and crew, besides the Captain; they were all Portuguese, and shipped at the same time at the Brazils; neither he nor any of the crew had any interest in the vessel or cargo, except their wages; the voyage began at the Brazils; they were to have gone to the Havana; went direct from the Brazils to Lagos."

The Monition, issued on the 4th instant, was returned into Court on the 11th instant, with the Certificate of the Acting Marshal, that it had been duly served.

On the same day the Affidavit of the Prize Master was received, accounting for the number of deaths which had occurred amongst the slaves since capture. He deposes that "7 of the said slaves departed this life, according to the Schedule annexed to the Affidavit; and deponent further believes that, during the passage to this port, 2 more of the said slaves fell or jumped overboard during the night, unobserved by deponent and prize crew."

Publication of the above evidence and a day of trial having been prayed for by the Captor's Proctor, and granted, the Court proceeded to the adjudication of the vessel on the 12th instant. The Case of the "*Tamega*" exhibited almost every feature of illegal slave trading contemplated by the Portuguese Convention of the 28th July, 1817. She was unprovided with a Royal Passport to carry slaves to the southward of the Line; she took on board a full cargo of slaves at Lagos, situated 6 degrees to the North of the Line, where Slave Trade under any circumstances is forbidden to Portuguese subjects; and she was conveying those slaves to a port not subject to the Crown of Portugal. The "*Tamega*" was therefore justly detained by a properly authorized ship of His Majesty; and the

Court, without hesitation, pronounced Sentence accordingly, condemning the vessel as good and lawful prize to the Crowns of Great Britain and Portugal, and declaring that she was legally captured by His Majesty's brig-of-war, "Charybdis," Samuel Mercer, Esq., commanding; and that, at the time of her capture, 442 slaves were on board, of whom 7 died previous to their being landed in this Colony, and 1 subsequently. The survivors of the "*Tamega's*" slaves, 434 in number, were then decreed to be emancipated from slavery.

With respect to the Affidavit of the Prize Officer, which attempted to show that 444 slaves were on board the "*Tamega*" at the time of her capture, the Court remarked that it must follow in this Case the usual rule, and only declare to have been captured the number that could be properly accounted for.

Sierra Leone, 16th July, 1834.

(Signed)

OCT. TEMPLE.
H. W. MACAULAY.

No. 40.

His Majesty's Commissioners to Viscount Palmerston.—(Received Sept. 26.)

MY LORD,

Sierra Leone, 19th July, 1834.

WE have the honour to enclose, for your Lordship's information, the Copy of a Letter which we this day addressed to the Governors of Princes Island, and despatched by His Majesty's steam-vessel, "*Pluto*," Lieutenant Thomas Ross Sullivan commanding.

We had ascertained that the Master of the "*Santissimo Rozario e Bom Jezuz*," and the Master and Mate of the "*Apta*" (the 2 vessels which were condemned on the 25th ultimo in the British and Portuguese Court of Mixed Commission), were then on their passage to the Island of Princes, to which place both vessels belonged. Under these circumstances, we thought it right to embrace the opportunity thus afforded us of bringing under the notice of the Portuguese Officers, provisionally administering the Government of Princes Island and St. Thomas, the avowed violation of the Treaties between Great Britain and Portugal which had taken place in both the Cases referred to, by persons residing, with their families, within the limits of their command.

The information conveyed will, we have reason to fear, be unattended with proper effects; but it will, at any rate, take from the Portuguese Officers the plea of ignorance, should His Majesty's Government think fit to make any representation upon the subject.

In requesting Lieutenant Sullivan to deliver this Letter, on his calling at Princes Island, we at the same time desired him to ascertain there, if possible, the fate of the 2 Portuguese schooner-boats, "*Magdalena*" and "*Maria Piquena*," referred to in our Despatch of the 27th ultimo.

We have, &c.

(Signed)

OCT. TEMPLE.
H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 40.

MAY IT PLEASE YOUR EXCELLENCIES,

Sierra Leone, 19th July, 1834.

WE have the honour to bring under the notice of your Excellencies the circumstances attending the capture of 2 small vessels belonging to one of the Islands over which your Excellencies preside, and which have lately been condemned by us as good and lawful prizes to the Crowns of Great Britain and Portugal, for being engaged in illicit Slave Trade at the time of their capture, in direct violation of the Treaties subsisting between Great Britain and Portugal.

The Cases alluded to are, the Portuguese schooner, "*Apta*," owned by Don Maria Xavier, and of which Christovao Xavier Vellozo was Master, and Domingo Perez, Mate; and the Portuguese schooner, "*Santissimo Rozario e Bom Jezuz*," of which Señor Maria da Graça was Owner, and Francisco Silvestre, and Bento Jozé, Master and Mate of the vessel.

Certified Copies of the depositions taken in these 2 Cases, on the 14th ultimo, we have now the honour to enclose, for the information of your Excellencies, and we have attached to them the seal of our Court, in proof of their correctness.

From these documents your Excellencies will perceive, that the 2d Clause of the 1st Article, and the 4th Article of the Additional Convention, signed at London, 28th July, 1817, were avowedly violated in both Cases by persons resident with their families in the Island of Princes, and who, we have ascertained, are at present within the limits of your Excellencies' command.

We therefore beg to call the attention of your Excellencies to the 1st Article of the "Alvará of His Most Faithful Majesty, dated at Rio de Janeiro, the 26th January, 1818," which states that "the Officers of such vessels, to wit, the Captain or Master, the Pilot, and Supercargo, shall be banished to Mosambique, and each shall pay a fine equivalent to the pay or other profits which he was to gain by the adventure."

Having made this communication to your Excellencies, we feel fully persuaded, that your Excellencies will see the necessity of protecting the observance of the solemn compacts happily subsisting between our Sovereigns, and of causing the penalties of the Portuguese law to be carried into effect against those who have presumed to violate them.

We have, &c.

(Signed) OCT. TEMPLE,
*Lieutenant-Governor and His Britannic Majesty's Commissary
Judge, ad interim.*

H. W. MACAULAY,
*His Britannic Majesty's Commissioner of Arbitration, acting in the
absence of a Commissary Judge on the part of Portugal.*

Their Excellencies the Governors of the Portuguese Islands of Princes and St. Thomas,
&c. &c. &c.

No. 41.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 8th October, 1834.

I HEREWITH transmit to you, for your information and guidance, the Copy of a Despatch* which I have, by his Majesty's Command, addressed to His Majesty's Envoy in Portugal, upon the subject of the Portuguese slave-vessel, the "*Maria da Gloria*," whose Case was recorded in your Despatch of the 31st March of this year.

I am, &c.

(Signed) PALMERSTON.

His Majesty's Commissioners,
&c. &c. &c.

* See Class B, No. 28.

No. 42.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, November 10, 1834.

WITH reference to my Despatch to you, of the 8th October last, upon the subject of the Portuguese slave-vessel, "*Maria da Gloria*," I herewith transmit to you, for your information and guidance, the Copies of 2 Despatches* which I have received from His Majesty's Commissioners at Rio de Janeiro, together with a Copy of the Answer* which I have returned to them, upon the subject in question.

I am, &c.

His Majesty's Commissioners,
&c. &c. &c.

(Signed) PALMERSTON.

* See Nos. 98, 99, and 110.

No. 43.

His Majesty's Commissioners to Viscount Palmerston.—(Received December 1.)

MY LORD,

Sierra Leone, 5th September, 1834.

WE have the honour to enclose our Report of the Case of the Portuguese schooner, "*Despique*," Jozé Maria de Oliveira, Master, adjudicated in the British and Portuguese Court of Mixed Commission, on the 1st instant.

The Case of this vessel resembles that of the "*Hebe*," reported in our Despatch of the 27th October, 1832, in every material point. Both vessels cleared out from Lisbon, under a Passport from the Portuguese Minister of Marine for the Coast of Africa. They embarked their slaves at the same place, were bound for the same island, and were captured on the same spot. Subsequent to capture the same proceedings were adopted in both Cases, with respect to the prosecution of the vessel and the disposal of the slaves found on board of them.

The "*Despique*" received a Passport from the Portuguese Minister of Marine at Lisbon, dated the 1st October, 1833. She left Lisbon on the 19th October, and reached Pernambuco on the 25th of the following month. She proceeded

again on her voyage 4 days afterwards, and arrived at St. Paul de Loando in Angola on the 15th January, 1834. Having landed her cargo of wine and dry goods, she obtained permission, on the 5th April following, from the Governor of Angola and its Dependencies, to return to Lisbon, the destination marked out in her original Papers, by way of Havana and Gibraltar. The last document procured by the "*Despique*" at Loando was a Port Clearance, dated the 7th April, 1834, certifying that all the necessary examinations had been made, and that she was about to take her departure for Havana in ballast.

Such a proceeding as this necessarily implicates the Authorities in Angola as conniving at the illegal nature of the voyage, in the prosecution of which the "*Despique*" was captured; for they must have been well aware of the object with which the vessel cleared out for Havana in ballast, after having landed a valuable cargo and lain a period of 82 days in their harbour, without taking on board a single dollar's worth of return-cargo.

The "*Despique*" then went direct to Ambriz, about 60 or 70 miles to the northward of Loando, and having embarked her slaves, who were all ready for her, she sailed on the following day for Havana. She was, however, happily fallen in with whilst running into Cuba, and before the infamous object of her voyage could be accomplished, by His Majesty's schooner, "*Firefly*," John Julius Macdonnell, Esq., commanding, and detained with 215 slaves on board.

The prize was immediately carried into Havana, and brought before the British and Spanish Court established there; but, as no circumstances whatever appeared to induce a belief that her real character was Spanish, the Captor was referred to the only Court in which Portuguese slave-vessels could be adjudicated.

The slaves of the "*Despique*" were landed, as in the Case of the "*Hebe*," at Nassau, in the Bahama Islands, owing to the sickness which prevailed amongst them, and the insufficiency of the provisions for their sustenance. And the vessel herself was brought into this harbour by a prize crew of the capturing ship.

The usual proceedings have been closed, and the necessary evidence taken, we passed judgment on the Case on the 1st instant. The slaves found on board the "*Despique*," at the time of capture, were undoubtedly embarked within what the 2d Article of the Convention calls "the territories in which the traffic in slaves continues to be permitted to the subjects of His Most Faithful Majesty;" but it is equally certain that the vessel on board of which they were placed was unprovided with a Royal Passport authorizing her to carry slaves, in accordance with the 4th Article of the same Convention. Under these circumstances we had no hesitation in acting upon the principle which guided your Lordship and the Right Honorable the Earl of Aberdeen, in the Correspondence which took place with the Viscount d'Itabayana and the Chevalier de Mattos, on the subject of the Brazilian schooner, "*Tres Amigos*," in the years 1829 and 1830, namely, that the Articles of the Treaty which would seem, at first sight, to oppose the condemnation of a vessel which had embarked her slaves within authorized limits, "have reference only to Cases of vessels furnished with Passports entitling them to carry slaves."

The "*Despique*," having no such Passport, was therefore not entitled to claim the benefit of those Articles of the Portuguese Convention which would otherwise have protected her from capture. She was besides violating the 4th Clause of the 1st Article, in being bound for a port not in the Dominions of Her Most Faithful Majesty; and it was incumbent upon her, by the 5th Article of the Instructions, detained as she was, 20° North of the Equator, to prove the legality of the voyage in which she was engaged. This, of course, it was impossible for her to do, inasmuch as her voyage was illegal in every point, except in the place where her slaves were embarked. On these grounds a Sentence of condemnation was pronounced upon the "*Despique*" and her cargo, and the survivors of the slaves, found on board of her at the time of capture, were decreed to be emancipated.

In our Despatch of the 16th July, 1834, which contained our Report of the Case of the Portuguese brig, "*Tamega*," we had the honour to call your Lordship's attention to the fact that a Portuguese merchant resident in Lisbon, Jozé Manuel Machado, was the Owner of the "*Tamega*" and her cargo of slaves, and that her Captain also resided at Lisbon with his family. In the present instance your Lordship will observe that the Passport from the Portuguese Minister of Marine describes Jozé Gomes Ligeiro as the Owner of the "*Despique*:" and the Master of her deposes that both the Owner, Ligeiro, and himself, live constantly at Lisbon; that

the slaves were the sole property of the Owner, and were to have been sold on his account; and that he corresponded with him on all matters relating to the "*Despique's*" trade.

Should your Lordship think it right to bring under the notice of the Portuguese Government such glaring infractions of the Portuguese slave law, and should the punishment of the offenders be neglected, it would be sufficiently evident that the encouragement which is afforded to illicit Slave Trade by the Authorities of Loando is sanctioned and connived at by the mother-country.

We have, &c.

(Signed)

THOS. COLE.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 43.

Report of the Case of the Portuguese schooner, "Despique," José Maria de Oliveira, Master.

THE Papers with which this vessel was furnished at the time of her capture are the following:—

1. A Passport from his Excellency, Agostinho José Freire, the Portuguese Minister of Marine, dated at Lisbon, on the 1st October, 1833, and countersigned by Joaquim Pedro da Costa. This Passport authorizes the Portuguese schooner, "*Despique*," on satisfactory proof having been given that she was entirely Portuguese property, owned by José Gomes Ligeiro and Company, and commanded by José Maria de Oliveira, to make a voyage from the city of Lisbon to the Ports of the Coast of Africa, by way of Pernambuco, to return thence to the same city of Lisbon. An endorsement on this Paper, signed by the same J. P. da Costa, states, that it was registered in the Book of Passports kept at the office of the Secretary of State for the Affairs of the Marine, on the 2d of October, 1833.

2. A List of the Crew, dated at Lisbon on the 22d of October, 1833, in which the names of the vessel, Master, and Owners, are the same as in the Passport. The residence of all the persons in the List, except 3, is said to be on board the ship; that of the Mate, Joaquim Ignacio Ribeiro, and of Rufino Ribeiro, a boy of 12 years of age, is put down as at No. 22, St. Thomas Street. The Cook, João Roiz, is said to live in the Rua do Loréto.

3. Is a Log-book of the "*Despique*," which appears to be in all respects true and fair. It commences on the 20th of October, 1833, when that vessel took her departure from Lisbon. She arrived at Pernambuco on the 25th November, on the 37th day of her voyage, and left it again on the 29th November, which is called the first day of her voyage to Angola. On the 15th January, 1834, she reached St. Paul de Loando; and from this date we lose sight of her proceedings, for a period of 80 days, at the expiration of which she was still in the same harbour.

4. The next document then, in point of time, to be remarked upon, is an Endorsement on the "*Despique's*" Lisbon Passport, dated at St. Paul de Loando, on the 5th April, 1834, purporting to be a permission from the Baron de Santa Comba, Governor of Angola and its Dependencies, for that vessel to proceed to Lisbon, by way of Havana and Gibraltar.

5. A Bill of Health, of the same date, signed by Henrique da Costa de Arango e Farra, certifies that the "*Despique*" was about to make a voyage to Lisbon by way of Havana and Gibraltar; that she had on board a crew of 15 persons, including the Captain; and that she was free from any contagious disease.

6. Is a Clearance from the Custom-House at Loando, signed by the Baron de Santa Comba, and registered on the 6th April, 1834.

7. A Certificate, dated the 7th April, 1834, from the Secretary of the Customs, states that all the necessary examinations had been made, and that the "*Despique*" was about to proceed from Loando in ballast.

8. The "*Despique's*" voyage from Angola to Havana began on the 8th April, 1834, according to her second Log-book, the correctness of which there seems no reason to doubt. On the 23d of May she was so near to Cuba that the Isle of Pines was in sight; and on the 24th she saw the capturing ship in chase, which she professed to believe to be a Columbian pirate. She then put about, and ran away from the land with all the sail she could make, but was taken on the following day.

With these Papers, and with a cargo of 215 slaves on board, the "*Despique*" was captured on the 25th May, 1834, off the Isle of Pines, by His Majesty's schooner, "*Firefly*," Lieutenant John Julius Macdonnell commanding.

The Captor carried his prize, in the first instance, into Havana, with the intention of bringing her before the British and Spanish Court of Mixed Commission established there. But that Court could not take cognizance of Portuguese vessels. He then proceeded to Nassau, New Providence, in the Bahamas, where the slaves on board of the "*Despique*" were landed. She was then given into the charge of Mr. Arthur Sansum, a Mate of His Majesty's schooner, "*Firefly*," and a prize crew; and after having touched at Bermuda, in order to communicate with Admiral Sir George Cockburn, arrived in this harbour on the evening of the 13th August, 1834; and on the morning of the 14th her arrival was reported by the Acting Marshal.

On the 15th August the Affidavit of the Prize Master was taken, proving that His Majesty's schooner, "*Firefly*," John Julius Macdonnell, Esq., commanding, was duly authorized and empowered to make seizures of Portuguese vessels engaged in the Slave Trade; stating the time, the place, and the circumstances, of the "*Despique's*" capture, and authenticating the ship's Papers, which have been already described.

On the same day the "*Despique*" was regularly brought before the British and Portuguese Court, on Petition of the Captor's Proctor, that the Affidavit of the Prize Master might be received; that

the usual Monition might issue, and that evidence might be produced. The witnesses in preparatory, named by the Proctor, were the Master and Mate of the detained vessel. The Monition was according issued, and the Captor's Declaration was filed.

The Declaration is to the following effect: "I, Lieutenant John Julius Macdonnell, Commander of His Britannic Majesty's schooner, 'Firefly,' hereby declare that, on this 25th day of May, 1834, in latitude 20° 45' North, longitude 83° 40' West, I detained the schooner named the '*Despique*,' sailing under Portuguese colours, armed with 2 guns, 6-pounders, and commanded by José Maria de Oliveira, who declared her to be bound from Loando in Angola, on the Coast of Africa, to Havana, with a crew consisting of 13 men and 2 boys, whose names, as declared by them respectively, are inserted in a List at the foot hereof, and having on board 215 slaves, said to have been taken on board at Angola, on the Coast of Africa, on the 7th day of April, 1834."

Lieutenant Macdonnell, in a subsidiary Declaration, made at Nassau, says: "Finding it necessary to disembark 205 of the said slaves (10 having previously died on the passage) before the vessel could arrive at Sierra Leone (to which place it was my intention to send her for adjudication), on account of the very great debility of the slaves, and there not being a sufficient quantity of provisions, I did, on the 18th day of June, 1834, disembark 205 of the said slaves at Nassau, New Providence, in the Bahamas, where they remained." This Declaration, as well as the former one, was signed by the Captor, and witnessed by the Senior Mate and Assistant-Surgeon of the vessel under his command.

Two other Papers were also filed on the same day, on the Petition of the Proctor in the Case. One was a Certificate, under the hands of the Senior Mate and Assistant-Surgeon of the capturing ship, that 10 deaths had occurred amongst the slaves, between the period of the "*Despique*'s" capture and her arrival at Nassau. The other document was a Receipt from the Collector of Customs at Nassau for 205 slaves received into that Island and placed under his charge, by order of his Excellency Lieutenant-Governor Balfour.

On the 16th ultimo the witnesses in preparatory were examined on the standing Interrogatories by the Acting Registrar. José Maria de Oliveira, the Master of the "*Despique*," deposed, "that he was born and lives at Lisbon, which has always been his home; has never been a subject of any state but Portugal; is not married; was appointed to the command of the detained vessel by the Owner, José Gomes Ligeiro, who lives at Lisbon, and is a subject of Portugal; took possession of her in September last; has known the vessel only since he commanded her; does not know where she was built; was present when she was taken; she was taken for having slaves on board; she was under Portuguese colours at the time of capture, and had no other colours on board, except for signals; the schooner's name is the '*Despique*,' which is the only name she has had since he knew her; is not aware of her exact tonnage; she had 3 Officers and 12 seamen on board, all of whom were Portuguese, and shipped by him at the same time, at Lisbon; had no interest in the detained vessel or her cargo, except his pay, nor had any of the officers or people on board; he carried no passengers except the slaves, whom he did not attempt to conceal; the present voyage began at Lisbon; had he landed his slaves at Havana, he would have proceeded to Gibraltar, and thence to Lisbon; after leaving Lisbon he anchored at Pernambuco for water, and went from that port to Angola; was going to Havana when he was taken; made no resistance to capture, nor had he orders to resist, but of course would get away if he could; nor was he instructed to destroy or conceal any of his Papers; the Owner was José Gomes Ligeiro, who lives at Lisbon, where witness believes he has always lived; knows him to be the Owner, because he was appointed by him, but does not know whether he is married; does not know if any Bill of Sale was ever made for the vessel, or what consideration was paid for her, but has no doubt that she was really the property of the above-named Owner; the slaves were shipped at Angola, by José Ferreira da Silva Maia, and he (witness) was to have sold them at Havana on account of the Owner of the vessel, whose sole property they were; he (witness) verily believes that the slaves were, and would be if restored, the sole property of the aforesaid Owner, because he has not the slightest reason to doubt it; the outward cargo was wine and dry goods, and was shipped at Lisbon; there is no cargo at present, the slaves having been landed at the Bahamas; he took on board 215 slaves at Ambriz, near Loando, but does not know the number of each sex, nor how many died before capture, nor what number have died since; the vessel was taken to Havana, and thence to the Bahamas, where the slaves were landed; from Providence the vessel went to Bermuda, and thence to this Port; the whole of the Papers found on board are true and fair; had no Royal Passport to carry slaves; the vessel is under the control of the Owner before named, with whom he corresponds on all matters relating to her or her trade."

The evidence of the Mate, Joaquim Ignacio Ribeiro, corroborates that of the Master in every particular.

The Case on behalf of the Captor having been closed, a Petition for its publication was presented on the 18th of August. On the 22d the Monition, citing all parties interested in the vessel to appear, was returned into the Registry, with the Certificate of the Acting Marshal, that it had been duly served; and on the same day the Captor's Proctor prayed that a time might be appointed for a trial.

Owing to the illness, at different times, of both the Commissioners, and of the Registrar, the Court did not assemble for the adjudication of the "*Despique*" until the 1st instant, 10 days after the return of the Monition, when the Case was finally disposed of, no claim having, in the mean time, been preferred for the vessel and her cargo.

The present Case is exactly similar to that of the Portuguese brig, "*Hebe*," reported on the 27th October, 1832, in every material point. Both vessels were furnished with a Mercantile Passport from the Minister of Marine at Lisbon, authorizing them to proceed to the Coast of Africa, but giving no permission to trade in slaves. Both embarked their slaves at the same place, and were captured on the same spot, and both adopted the same proceedings, with respect to their slaves, subsequent to capture. Under these circumstances a Sentence of condemnation was pronounced upon the "*Despique*," for the same reasons which influenced the Court in the Case of the "*Hebe*."

The capture of the "*Despique*," to the North of the Line, by a duly authorized ship-of-war of His Majesty, whilst engaged in illicit Slave Trade; the absence of a Royal Passport permitting her to carry slaves anywhere; and her being bound, with a cargo of slaves, to a place not within the Dominions of Her Most Faithful Majesty, were deemed to be such manifest infractions of the 4th Clause of the 1st Article, and of the 4th Article of the Convention between Great Britain and

Portugal, of the 28th July, 1817, as to render her liable to detention, under the 5th Article of the same Convention. The Court therefore decreed, "that the Portuguese schooner, '*Despique*,' Jozé Maria de Oliveira, Master, was justifiably detained by His Majesty's schooner, '*Firefly*,' John Julius Macdonnell, Esq., commanding; and that she be condemned, her hull, tackle, apparel, and furniture, and the goods, wares, and merchandize, laden therein, as good and lawful prize to the Crowns of Great Britain and Portugal." The Court moreover decreed, "that there were on board the '*Despique*,' at the time of her capture, 215 slaves, of whom 10 died previous to the arrival of that vessel at Nassau, New Providence, in the Bahama Islands; and that the remaining 205 slaves, or the survivors of them, at the present moment, be emancipated from slavery."

(Signed) THOS. COLE.
H. W. MACAULAY.

Sierra Leone, 5th September, 1834.

SIERRA LEONE. (*Netherlands.*)

No. 44.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 28, 1834.)

MY LORD,

Sierra Leone, 24th September, 1833.

WE have the honour to acknowledge the receipt of your Lordship's Despatch *, of the 14th of June last, transmitting to us the Copy of a Letter, addressed to Sir George Shee, from the Admiralty, stating that the Instructions referred to in the Treaty between Great Britain and the Netherlands, for the suppression of illegal Slave Trade, have been issued to the ships and vessels of His Majesty Navy mentioned therein, and that the Instructions which had been issued to His Majesty's ships named in the margin of that Letter have been cancelled.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

* See Class A, No. 24, of 1833.

No. 45.

His Majesty's Commissioners to John Backhouse, Esq.—(Received September 12.)

SIR,

Sierra Leone, 1st July, 1834.

WE have the honour to Report, that no Case has come before the British and Netherlands Mixed Court of Justice for adjudication, in the period from the 1st January, 1834, to this date.

We have, &c.

(Signed)

OCT. TEMPLE.

H. W. MACAULAY.

John Backhouse, Esq.

&c. &c. &c.

No. 46.

The Duke of Wellington to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 31, 1834.

I HAVE to acquaint you, that the King was pleased, on the 4th August, 1834, to appoint John Samo, Esq., to be His Majesty's Commissary Judge, in the room of John Henry Lance, Esq., to the Mixed British and Netherland Commission established at Surinam, under the Treaty for the Abolition of Slave Trade concluded between Great Britain and the Netherlands, on the 4th of May, 1818.

I am, &c.

(Signed)

WELLINGTON.

His Majesty's Commissioners,

&c. &c. &c.

SIERRA LEONE. (*Brazil.*)

No. 47.

His Majesty's Commissioners to Viscount Palmerston.—(*Received Jan. 28, 1834.*)

MY LORD,

Sierra Leone, 24th September, 1833.

WE have the honour to acknowledge the receipt of your Lordship's Despatch* of the 5th of last July, transmitting to us, for our information, the Copies of a Correspondence relative to an avowed intention, on the part of the Government and Legislature of Brazil, to direct the re-exportation to Africa of such negroes as may henceforward be brought to the coasts of Brazil for the purposes of traffic.

We are happy to perceive, by your Lordship's Despatch of the 5th of June, to Mr. Fox, that the British Government, being guided by those feelings of humanity towards the unfortunate negro which so peculiarly distinguish it, and being certain that the proposed intention, if carried into effect, would be a violation of the Treaty between Great Britain and Brazil, have protested against the measure.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

* See Class A, No. 26, of 1833.

No. 48.

His Majesty's Commissioners to Viscount Palmerston.—(*Received Jan. 28, 1834.*)

MY LORD,

Sierra Leone, 10th December, 1833.

WE have the honour to acquaint your Lordship with the arrival here, on the 7th instant, of M. Matheus Egidio da Silveira, His Imperial Majesty's Commissioner of Arbitration in this Mixed British and Brazilian Court of Commission, for the repression of Slave Trade.

M. da Silveira has exhibited to us his Warrant of Appointment, which we find to be in due form, from the Regency of Brazil, in the name of Don Pedro the 2d, countersigned by the Secretary of State, Francisco Carneiro de Campos, and dated the 7th of February, 1832. M. da Silveira took, this day, before the principal Magistrate, Chief Justice Rankin, the prescribed oath of his office; and at a British and Brazilian Court, which was afterwards held for the purpose of installing him, he entered upon the duties thereof.

We have, &c.

(Signed)

WM. SMITH.

H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 49.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 16th August, 1834.

I HEREWITH transmit, for your information, the Copy of a Note* which I have received from M. Ribeiro, Brazilian Minister at this Court, together with a Copy of the Answer* which, by His Majesty's command, I have returned to him, on the

* See Class B, Nos. 37 and 40.

subject of a Claim for compensation set up by the Owners of the brig, "*Activo*," for losses and damages incurred in consequence of the capture of that vessel, when engaged in an illegal traffic in slaves, under Brazilian colours, in the year 1826.

I am, &c.
(Signed) PALMERSTON.

His Majesty's Commissioners,
&c. &c. &c.

No. 50.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 18.)

MY LORD,

Sierra Leone, 30th June, 1834.

WITH feelings of the deepest regret, we have to inform your Lordship that Jozé de Paiva, Esq., His Imperial Majesty's Commissary Judge in the British and Brazilian Court of Mixed Commission, died yesterday evening, after a short but severe illness.

In performing the melancholy duty of making this communication to your Lordship, it is only due to the memory of Mr. de Paiva to say, that, for the period of nearly 6 years, during which, without intermission, that gentleman resided at his post, his public conduct was marked by a spirit of courtesy and conciliation towards his colleagues in office, with whom he at the same time lived privately on terms of intimacy and friendship.

His Imperial Majesty's Commissioner of Arbitration, Matheus Egidio da Silveira, Esq., will have now to perform the duties of his deceased friend, until another Commissary Judge be appointed, unless he should himself be confirmed in the appointment.

The 14th Article of "the Regulations for the Mixed Commissions," annexed to the Additional Convention with Portugal, of the 28th of July, 1817, states: "That in case of the death of the Portuguese Commissioners, Judge, or Arbitrator, in the Commission established in the British Possessions, the remaining individuals of the above-mentioned Commission shall be equally authorized to proceed to the judgment of such slave-ships as may be brought before them, and to the execution of their Sentence." Under such circumstances, however, the same Article gives "the parties interested the right of appealing from the Sentence, if they think fit, to the Commission resident in the Brazils;" this right being restricted, in point of time, to such Sentences only as shall be pronounced within 6 months from the date of such death-vacancy.

This Article, as well as every other in the Treaties and Conventions subsisting between Great Britain and Portugal, on the subject of the Slave Trade, will be the guide of our conduct, in carrying on the business of the British and Brazilian Court of Mixed Commission, according to the Instructions on this point conveyed in your Lordship's Despatch* of the 16th August, 1831.

No Brazilian Case has come before the Court for adjudication for a long period, the "*Ismenia*," detained by His Majesty's ship, "*Eden*," on the 28th November, 1829, being the last vessel captured under the Treaty with Brazil.

We have, &c.
(Signed) OCT. TEMPLE.
H. W. MACAULAY.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

* See Class A, No. 41, of 1831.

No. 51.

His Majesty's Commissioners to John Backhouse, Esq.—(Received September 12.)

SIR,

Sierra Leone, 1st July, 1834.

WE have the honour to report that no Case has come before the British and Brazilian Court of Mixed Commission for adjudication, in the period from the 1st January, 1834, to this date.

We have, &c.
(Signed) OCT. TEMPLE.
H. W. MACAULAY.

John Backhouse, Esq.
&c. &c. &c.

No. 52.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 6th October, 1834.

WITH reference to my Despatch to you of the 16th August last, I transmit, for your information, the Copy of a further Note* which I have received from M. de Ribeiro, requesting His Majesty's Government to reconsider the decision to which it has come, not to concur in granting compensation for loss and damages sustained by the Brazilian brig, "*Activo*," in consequence of the capture of that vessel when engaged in illegal traffic in slaves, under Brazilian colours, in the year 1826.

I also enclose a Copy of my Answer* to M. Ribeiro.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners,

&c. &c. &c.

* See Class B, Nos. 45 and 46.

No. 53.

The Duke of Wellington to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, December 31, 1834.

I HEREWITH transmit to you, for your information, the Copy of a Letter† from M. de Ribeiro, the Brazilian Envoy at this Court, notifying that the Imperial Government of Brazil had named M. Manuel de Oliveira Santos, to be Commissioner of Arbitration to the Mixed British and Brazilian Court of Commission at Sierra Leone, in the room of M. Matheus Egidio da Silveira, who is to replace M. de Paiva as Commissary Judge in the said Commission.

You will take care that the Commission which these Gentlemen may present to you shall be in the proper form, and that they shall have taken the proper oaths previously to their entering upon office.

Having ascertained these points, you will enter cordially, with these Gentlemen, in the execution of the duties jointly intrusted to your care.

I am, &c.

(Signed)

WELLINGTON.

His Majesty's Commissioners,

&c. &c. &c.

† See Class B, No. 53.

HAVANA.

No. 54.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 15th January, 1834.

I HEREWITH transmit to you, for your information, the Copy of a Communication which has been received at this Office from the Colonial Department, upon the subject of the transfer of emancipated negroes from the Havana to Trinidad.

I am, &c.

(Signed) PALMERSTON.

His Majesty's Commissioners,
 &c. &c. &c.

* See Enclosures in No. 81, of the 24th July.

No. 55.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 24, 1834.)

MY LORD,

Havana, 15th November, 1833.

WE have the honour to acknowledge having yesterday received your Lordship's Despatch*, dated 2d July last, and enclosing, for our information, the Copy of a Despatch, dated 6th June last, which, by His Majesty's command, was recently addressed to His Majesty's Minister at Madrid, and which conveyed His Majesty's Directions; that the adoption of a Stipulation for condemning vessels, on the ground of their being equipped for the Slave Trade, might be urged in the strongest manner upon the Government of Spain,

We have, &c.

(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

* See Class A, No. 49, of 1833.

No. 56.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 24, 1834.)

MY LORD,

Havana, 15th November, 1833.

WE have the honour to acknowledge having yesterday received your Lordship's Despatch* of 5th July last, by which we are truly gratified to find that His Majesty's Government has been pleased to approve of the proceedings of this Mixed Commission in the Case of the "*Negrita*;" and we take the opportunity to assure your Lordship that we, as hitherto, shall ever endeavour to adhere most rigidly to our Instructions.

We have, &c.

(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.
 &c. &c. &c.

* See Class A, No. 50, of 1833.

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No. 57.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 24, 1834.)

MY LORD,

Havana, 16th November, 1833.

ON the 27th ultimo sailed the Spanish brig, "*Alerta*," Antonio Ferreyra, Master; and the Portuguese schooner, "*Deidade*," Manuel B. de los Santos, Master.

We have also the honour to inform your Lordship, that on the 3d instant arrived 2 Spanish slave-brigs in harbour, viz. "*San Pedro*," alias "*Vengador*," Ildefonso Garcia, Master, and the "*Andalus*," Francisco Garcia, Master, both of which arrivals were duly announced to the Captain-General.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 58.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 24, 1834.)

MY LORD,

Havana, 23d November, 1833.

ON the 16th instant Lieutenant Charles Bolton, commanding His Majesty's schooner, "*Nimble*," came into this port with the Spanish schooner, "*Joaquina*," which, with 327 negroes alive on board at the time of detention, he had captured off the Isle of Pines, on the 10th instant. This Case of illicit Slave Trade was immediately laid before the Mixed Commission, and on the 21st instant the Sentence of that Court was signed, which condemns the vessel, and emancipates all the slaves found on board and now remaining alive. We have now the honour to transmit to your Lordship Copies of the Captor's Letter to the Mixed Commission, and of his Declaration, together with an Abstract of the evidence, and a Translation of the Sentence.

From these various documents it will appear that the schooner, "*Joaquina*," of 101 Spanish tons, and armed with 1 long 12-pounder, sailed from the Havana on the 21st April last, and, on the 19th of September following, took on board at the River Bonny, on the Coast of Africa, 348 negroes, of whom 17 had already died on the voyage back to Cuba, when she was descried by His Majesty's schooner, "*Nimble*." It will further appear that this slave-vessel made a most obstinate defence of nearly an hour, and was not taken possession of by His Majesty's schooner until she was reduced to nearly a sinking state, having her Captain mortally wounded, as well as 2 negroes killed, and 1 seaman and 2 negroes less severely injured. One, however, of these last negroes died afterwards of his wounds, as well as 3 others of dysentery, in the interval between the capture and the delivery up of the cargo to the Captain-General, so that the Sentence of the Mixed Commission emancipates only 323 slaves; but we regret to state, that on counting the negroes over at the period of delivering them up to the Captain-General, the Captor found 2 men of the number missing, so that in fact only 321 were delivered up to the local Authorities. We have the honour to enclose a Copy of the Captor's Letter on this subject, addressed to His Majesty's Commissary Judge.

We have great pleasure in stating, that although the "*Joaquina*" is almost a wreck, and arrived in the Havana with the greatest difficulty, His Majesty's schooner received no damage whatever, except having a few of her sails somewhat cut up.

We learn that, after the capture, a conspiracy was formed on board the slave-vessel, to rise and murder the prize crew; but as it was most providentially discovered in time, the whole matter has now been referred by Lieutenant Bolton to the Captain-General.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 58.

*Lieutenant Bolton to the Mixed Commission.**His Britannic Majesty's schooner, "Nimble,"
Havana, 16th November, 1833.*

MOST EXCELLENT SIR AND GENTLEMEN,

I BEG to acquaint you that I arrived this day, at this port, in His Britannic Majesty's schooner, "Nimble," with the Spanish slave-schooner, "Joaquina," captured on the morning of the 10th instant, off the Isle of Pines. At daylight on the 10th instant, a sail was discovered about 9 or 10 miles to leeward, standing in for land. All sail was immediately made in chase, and having greatly the superiority of sailing, I soon made her out to be a large schooner, which we were closing very fast. When within 3 or 4 miles the stranger, perceiving there was no chance of escaping by sailing, wore round, shortened sail, and hove-to to receive us; being then 7 or 8 miles from the South-west point of the Isle of Pines. I soon afterwards took in studding-sails and square-sail, and prepared for action, still bearing down upon him; he then hoisted Spanish colours and fired a blank gun, when I hoisted our colours, and as soon as we were within musket-shot (to ascertain positively what he was) I ordered 2 muskets to be fired over him, which he returned by a well-directed shot from a long 12-pounder.

I immediately opened fire upon him, closing as quickly as possible. The wind now becoming very light, he continued receiving and returning our fire until within half pistol-shot, when, having received two 18-pound shot between wind and water, several through his upper works and sails, his mainmast cut nearly through, and rigging much damaged, the Captain desperately wounded (since dead), he struck his colours, and cried for quarter. His defence was most obstinate and desperate, continued nearly an hour, and he fought worthy of a better cause.

On boarding I found 1 seaman (besides the Captain) wounded, and I greatly regret to add, 2 of the unfortunate negroes in the hold were killed by 1 shot, and 2 others severely wounded. She proved to be the "Joaquina" schooner, of 101 tons, 1 long 12-pounder, and 25 men, 51 days from the River Bonny, and having on board at the time of capture 329 negroes; it appears she sailed with 348, and they acknowledge having executed several on the voyage for mutiny. I beg leave further to state, that 3 negroes have died, since the capture, of dysentery, and that I have delivered into the hands of His Majesty's Commissary Judge the Papers of the "Joaquina," numbered from 1 to 4 inclusive, and duly indorsed by me.

I have now brought her into this port for adjudication.

I have, &c.

(Signed) CHARLES BOLTON,

*His Excellency the Count Fernandina, and the other
Members of the Mixed Commission, Havana.*

Lieutenant-Commander.

Second Enclosure in No. 58.

Declaration of the Captor.

I, LIEUTENANT CHARLES BOLTON, Commander of His Britannic Majesty's schooner, "Nimble," hereby declare that on this 10th day of November, 1833, being in or about latitude 21° 28' North, longitude 83° 13' West, I detained the schooner named the "Joaquina," sailing under Spanish colours, armed with 1 long 12-pounder, commanded by Don Juan Vergel, who declared her to be bound from Bonny River, on the Coast of Africa, to the Isle of Pines, off the Island of Cuba, with a crew consisting of 14 men, 7 boys, and 4 passengers, whose names, as declared by them respectively, are inserted in a List at the foot hereof, and having on board 329 slaves, said to have been taken on board at Bonny River, on the Coast of Africa, on the 19th day of September, 1833, and are enumerated as follows:—

	Healthy.	Sickly.
Men	199	6
Women	45	1
Boys	40	
Girls	35	3
Total	319	10

I do further declare that the said schooner appeared to be unseaworthy, in consequence of damage received in the action by shot-holes between wind and water; that she was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew on the destined voyage to the Island of Cuba. I do further declare that in the action previous to the detention, of nearly an hour's duration, in which the Master of the slave-vessel was mortally wounded, and 1 seaman severely, there were also killed 2 negroes and 2 more severely wounded, thus reducing the number of negroes alive at the time of taking possession to 327: and I do further declare, that in the interval between the capture and the vessel's arrival in the Havana, there have died of dysentery 3 negroes.

(Signed) CHARLES BOLTON,

Lieutenant-Commander.

Witnesses, W. PENNYCOOK, *Assistant-Surgeon.*
WHALEY ARMITAGE, *Mate.*

(Here follow the names of the crew of slave-vessel.)

*His Britannic Majesty's schooner, "Nimble,"
Havana, 17th November, 1833.*

And I do further certify that 1 negro died this day of his wounds, received in the action of the 10th instant.

(Signed) CHARLES BOLTON,

Lieutenant-Commander.

(Signed) W. PENNYCOOK, *Assistant-Surgeon.*
WHALEY ARMITAGE, *Mate.*

And I do further declare that one of the prisoners taken on board the "Joaquina," contrived last

night to make his escape in harbour, but whether by jumping overboard or otherwise I have not been able to ascertain : the rest of the crew has been delivered up to the Captain-General, upon a Receipt of the person appointed to take charge of them.

(Signed) CHARLES BOLTON,
Lieutenant-Commander.

Havana, November 18, 1833.

Third Enclosure in No. 58.

Abstract of the evidence in the Case of the Spanish schooner, "Joaquina."

LIEUTENANT CHARLES BOLTON, commanding His Britannic Majesty's schooner, "Nimble," being sworn, and having shewn his Instructions, deposed that the contents of the declaration now produced and signed by the deponent, are just and true, as to the state of the detained Spanish schooner, "Joaquina," her crew, and slaves, at the time of detention ; that the number of slaves is now reduced by death to 323, as appears by the Certificates annexed to deponent's Declaration ; and, finally, that the documents, No. 1 to 4 inclusive, now presented to the Court, are those which this deponent received from the Mate of the slave-vessel at the moment of taking possession, viz. :—

1. A Log-book.
2. The Royal Passport.
3. The Muster-roll.
4. The Contraseña.

Mr. William Pennycook, Assistant-Surgeon on board the said schooner-of-war, "Nimble," being sworn, deposed that the Declaration of the Captor now produced is signed by the deponent, as being witness to the truth of its contents, as well as of the additional Certificate annexed to this Declaration.

Mr. Whaley Armitage, Mate of the said schooner-of-war, being sworn, deposed that the Declaration of the Captor now produced is signed by this deponent, as being a witness to the truth of its contents.

Don Benito Pereyra, 26 years of age, a native of Coruña, in the kingdom of Galicia, unmarried, and a Catholic, being sworn, deposed that he is Mate of a merchant-vessel, and matriculated at Ferrol ; that he is now in prison, having been brought into this harbour by the English schooner-of-war, "Nimble," on account of the Spanish merchant-schooner, "Joaquina," in which the deponent sailed, having on board bozal negroes ; that the "Joaquina" was detained on the south side of the Island, in front of the Isle of Pines ; that at the time of detention there were 329 negroes of both sexes existing on board ; that the "Joaquina" made resistance to the schooner-of-war, but that this resistance proceeded from the crew of the "Joaquina" not being able to recognize the colours of the "Nimble," and their mistaking her for a suspicious insurgent vessel ; that the schooner, "Joaquina" was thus induced, under her Spanish colours, to return the fire of the "Nimble ;" that the Captain of the "Joaquina" has died of his wounds received in this action, as well as 2 bozal negroes in the hold, and 1 other after the schooner had arrived in this port, and that although there were other bozal negroes wounded, their wounds have not proved serious ; that the deceased Captain, Don Juan Raymundo Vergel, gave the deponent his place as Mate on board the "Joaquina ;" that the "Joaquina" sailed from this port, as well as the deponent recollects, on the 25th or 21st of April last, for the Island of Principe, with a cargo of tobacco, gunpowder, and aguardiente, together with some dry goods and specie. That although they sailed from the Havana for the Island of Principe they did not touch there, because the Captain, now deceased, resolved to go to the Coast of Africa, which voyage he effected, notwithstanding the written Protest of this deponent ; that this deponent knows not where the said Protest now is ; that the "Joaquina" anchored in the River Bonny, on the aforesaid Coast, and there landed her cargo, taking on board in return 348 negroes of both sexes ; that they sailed from Bonny on the 15th September last, and that they were detained by the English schooner-of-war, on the morning of the 10th of this month ; that the difference between the number of negroes now alive, and the number originally embarked in Africa, entirely results from death by natural diseases, such as dysentery, &c., and the consequences of the action ; that the Owner of the "Joaquina" is Don Antonio Babis, who died of fever on the Coast of Africa ; that the Supercargo of the schooner was Don Juan Vergel ; that the Assistant-Mate, Don Francisco Conde, is now in the public prison ; that the Cook, whose surname this deponent forgets, but whose Christian name is Manuel, contrived to escape from the schooner-of-war, by throwing himself overboard in the bay. That there remains no cargo or effects of any kind on board ; that the capturing schooner was even obliged to supply the "Joaquina" with provisions for the voyage to the Havana ; that at the time of the Captor's taking possession of the "Joaquina" there were 329 negroes on board ; that 2 of these in the hold died in consequence of a shot received in the action, as well as another of his wounds ; that 3 negroes, viz. 2 females and 1 male, died of natural diseases, making in all 6 deaths after the Captor took possession of the "Joaquina ;" that the Papers now produced are truly those of the schooner, "Joaquina."

Don Francisco Peirano, 33 years of age, a native of Ferrol, in the kingdom of Galicia, married, and a Catholic, being sworn, deposed that he is by profession Boatswain of the Spanish merchant-schooner, "Joaquina," which was captured by an English schooner-of-war, near the Isle of Pines, on the south side of the Island ; that this deponent does not recollect on what day of the month she was captured ; that he supposes the cause of the capture to have been some bozal negroes who were on board ; that the English schooner brought them into this port ; that Don Juan Vergel gave this deponent his place as Boatswain ; that he embarked in this harbour under the idea that his destination was the Island of Principe ; that the outward-cargo consisted of aguardiente and provisions ; that the "Joaquina" did arrive at the Island of Principe, but took no negroes on board there, nor did she there land any part of her cargo ; that she sailed from that Island for the River Bonny, on the Coast of Africa, where she took on board 347 negroes, as well as this deponent remembers ; that this deponent did not interfere at all in the business, being entirely under the orders of the Captain ; that this deponent knows not how many negroes remained alive at the moment of the detention, because 15 days after having sailed from Africa the deceased Captain deprived this deponent of his place of Boatswain, for what reason this deponent knows not ; that as no one on board the "Joa-

quina" could distinguish the English colours on board the schooner-of-war, they certainly did fire upon her, thinking they were attacked by some pirate; that the action lasted until they were convinced that she belonged to the Royal British Navy; that the Captain of the "*Joaquina*" died of a musket-wound in the breast; that a sailor was also wounded by a splinter; that 1 negro, as this deponent was informed, was killed in the hold, but that he knows not how many were wounded; that this deponent has never known any other Owner or Supercargo of the "*Joaquina*" than the Captain, now dead; that at the time of the detention there was no other cargo on board than the negroes.

Don Juan Cruz, 45 years of age, a native of Castro de Urdiales, in the Mountains of Santander, where his wife now resides, being sworn, is a Catholic, deposed that he is a mariner of the Spanish merchant-schooner, "*Joaquina*," to which he was appointed by her late Captain, Don Juan Raymundo Vergel; that this deponent sailed from this port in September last, for the Island of Principe, with a cargo of aguardiente and other goods; that they never arrived in the said Island of Principe, but steered away for the River Bonny, on the Coast of Africa, where they landed the aguardiente, and took on board, by orders of the Captain, 347 negroes; that on the "*Joaquina's*" return to this Island, being then off the mouth of the Guanamar, on the south side of this Island, she was detained by an English schooner-of-war, and brought into the Havana, on account of having bozal negroes on board; that this deponent knows not how many negroes were alive at the time of detention, nor does he recollect how many dead bodies were thrown overboard previous to that period, but all that had died before that time had died of natural diseases; that the "*Joaquina*" made resistance to the English schooner-of-war; that this deponent heard the Captain say before he died, that this resistance arose entirely from his not recognizing the colours of the vessel which attacked him; that there was no one on board killed except the Captain; that this deponent knows not whether any of the negroes were killed or wounded; that this deponent is not acquainted with any other Owner or Supercargo of the "*Joaquina*" than the deceased Captain Don Juan Vergel; that at the time of detention there remained nothing whatever on board except the negroes, who had been embarked on the Coast of Africa.

Fourth Enclosure in No. 58.

(Translation.)

Sentence in the Case of the Spanish schooner, "Joaquina."

IN the always most faithful City of the Havana, on the 21st day of November, 1833, the most Excellent Señor Don José Maria Herrera y Herrera "Conde de Fernandina," Honorary Grandee of Spain of the first Class, Grand Cross of the Royal Order of *Isabel la Católica*, Knight of the Order of Charles III., *Gentilhombre de Cámara con ejercicio*, Supernumerary Colonel of the Havana Regiment of Cavalry, and also William Sharp Macleay, Esq., the Spanish and British Commissary Judges in the Mixed Commission, having met together, and taken into their consideration the proceedings consequent upon the detention which, after an obstinate action on the 10th of this month, the English schooner-of-war, "*Nimble*," commanded by Lieutenant Charles Bolton, made in latitude 21° 28' North, and longitude 83° 13' West, of the Spanish merchant-schooner, "*Joaquina*," Don Juan Raymundo Vergel, Master, armed with 1 long 12-pounder, with swords and fire-arms, and having on board, at the time of detention, 329 bozal negroes, of whom 2 died in the action, and another afterwards, by reason of his wounds, as well as 3 more of dysentery, previous to her arrival in this port; and although the Spanish captain has also died, it being fully proved, as well by the Declaration of the first Mate, Don Benito Pereyra, as by those of the other witnesses examined, and by the documents found on board the Spanish schooner at the period of detention, that she sailed from this port on the 21st April last, with Papers and a Cargo for the Island of San Tomas, and directed her course to the River Bonny, on the Coast of Africa, where she took on board 318 negroes of both sexes, which number, by reason of deaths on the passage back, was reduced, at the time of detention, to 329, from whom 6 must be further subtracted, as having died either in this port, or in the action, or afterwards during the passage to this port, so that only 323 now remain alive. Whereupon the aforesaid Commissioners resolve that they ought to declare, and do hereby declare, with all due consideration to the merits of the Case, and according to the brief and summary mode of proceeding adopted in all similar Cases, on the truth being made known, that the capture of the aforesaid schooner, "*Joaquina*," and of the 323 negroes now remaining alive, is good and legal; and that the aforesaid schooner, "*Joaquina*," with all her tackle and apparel, and whatever else may be mentioned in her formal Inventory are subject to confiscation, all except the above-mentioned 323 negroes now alive, who are declared to be free from all slavery and captivity. And the Commissioners order that the condemned schooner and all that belongs to her be valued by the principal Masters of the Royal Dock-yard, they being previously sworn to perform their duty faithfully, and that the whole be sold at public auction, in the presence of the public Scrivener, Don Manuel Fornari, in order that the proceeds be applied to the benefit of the 2 Governments, the said schooner being for the present placed in deposit with and under the charge of Don Jayme Andreu, who shall likewise swear faithfully to perform his duty, and shall receive her from the Captor, according to formal Inventory. The Commissioners shall likewise proceed, without further loss of time, to deliver, according to the customary form, by the hands of their Secretary, to the above-mentioned 323 negroes, their Certificates of Emancipation; and they shall likewise address a Letter, with a certified Copy of this Sentence, to His Excellency the Captain-General, in order that he may take the proper steps to give it effect; and because the crew of the said schooner, "*Joaquina*," remain in prison at His Excellency's disposal. And by this, their Sentence, definitely judging, thus have the Commissioners provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed) EL CONDE DE FERNANDINA.
W. S. MACLEAY.

JUAN FRANCISCO CASCALES, *Secretary*.

Fifth Enclosure in No. 58.

Lieutenant Bolton to His Majesty's Commissary Judge.

SIR,

*His Majesty's schooner, "Nimble,"
Havana, 22d November, 1833.*

I REGRET to state to you that, on counting the negroes this morning, on delivering them up to the Spanish Authorities, 2 of the men were found missing. The only probable conjecture as to their absence, is that they were enticed to swim ashore, and escaped detection.

I am, &c.
(Signed) CHARLES BOLTON,
Lieutenant-Commander.

His Majesty's Commissary Judge.

No. 59.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 24, 1834.)

MY LORD,

Havana, 28th November, 1833.

IN the confusion attendant upon the great mortality produced this year, in the Havana, by cholera morbus, it is supposed that gross frauds have been committed by some of the persons to whom emancipated negroes have been distributed by the local Government.

We now have the honour to enclose a translation of an Extract of the "Diario" of to-day, by which it will be seen that the Captain-General is resolved to inquire immediately into the supposed irregularities.

We have, &c.
(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 59.

Extract from the "Diario de la Habana," November 28, 1833.

(Translation.)

(Official Article.)

WHEREAS many manumitted blacks, of both sexes, have died in consequence of the cholera morbus with which we have been afflicted, and whereas there have been observable much confusion and little order in the reports and accounts transmitted at that period, which has occasioned many doubts, it becomes necessary to clear them up by every possible means, to which end His Excellency the President-Governor and Captain-General has resolved to put off the presentation of the said emancipated negroes, which was to have taken place on the 1st of December next, it being fixed for Sunday, the 19th of January of the ensuing year, in manner following:—

On the said day there shall appear, without fail, only those belonging to the brigs, "*Relámpago*," "*Campeador*," "*Magico*," and the schooners, "*Isabel*" and "*Fingal*;" on the subsequent Sunday, the 26th, those of the brigs, "*Orestes*," the "*Intrepido*," and the schooners, "*Gerges*" and "*Voladora*;" on the 2d of February following, those of the brigs, "*Firme*," the "*Midas*," and the schooners, "*Josefa*" and "*Santiago*;" on the 9th of the same month those of the brigs, "*Emilio*," "*Aguila*," and the brigs, "*Gallito*" and "*Planeta*;" and lastly, on the 16th of the same month, shall present themselves those of the schooner, "*Indagadora*," and the brig, "*Negrillo*;" and to the end that these different examinations may lead to the most satisfactory explanations, His Excellency directs those individuals who have free negroes of any of the said vessels to present themselves, provided with the respective descriptions of their persons; and those who have had any escape from them, or die in consequence of the cholera in their houses or in the hospitals, likewise to appear, in order to give a circumstantial account of the day of the decease of the free negro, the place where it happened, the medical practitioner who attended him, and the Justice to whom he made the report, together with the name and number which the negro or negress bore, and the vessel to which they belonged: and that it may become known to all, His Excellency orders this Notice to be inserted in 3 consecutive Diarios of this city, lest any one should plead ignorance; it being understood, that he who shall not appear must abide the consequences of it, and whatever measures may be deemed necessary.

(Signed) ANTONIO MARIA DA LA TORRE Y CARDENAS,

*Havana, Nov. 27, 1833.**Secretary.*

No. 60.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 24, 1834.)

MY LORD,

Havana, 2d December, 1833.

WE have the honour to transmit to your Lordship the Translation of a Note which we have received from the Captain-General, in which His Excellency calls upon us to reply to certain proposals therein stated, as to the most convenient mode of immediately sending 200 emancipated negroes to Trinidad, the number of each

sex being equal. We also have the honour to enclose a Copy of our Answer to these propositions.

We have no hesitation in assuring your Lordship, that we firmly believe the Chief Authorities of this Island to be most anxious to fulfil, with the utmost good faith, every condition laid down by the Colonial Department for the removal of emancipated negroes from Cuba; but, unfortunately, on a due consideration of these conditions, several obstacles present themselves, which His Majesty's Commissioners dare not venture to set aside, without having explicit Instructions from their Government as to the line of conduct they ought to pursue. Of the various difficulties that occur, perhaps the most important is the required previous notice of 1 month to the Governor of Trinidad. To comply accurately with this condition is a difficulty that will be best understood by persons experienced in the navigation of the Gulf of Mexico; indeed, the Governor of Trinidad, fully aware of its being almost impracticable, has, in his Despatch to His Majesty's Commissioners, spontaneously offered to dispense with it.

We beg leave to state, that we deem the proposition of the Local Authorities to pay the British Government one-half of the value of the "*Joaquina*," as estimated under oath by the Masters of the Royal Dock-yard, to be not only fair, but liberal, because no vessel hitherto sold has fetched the sum at which she was valued. But we have judged ourselves entirely precluded from accepting the proposal by the 7th Article of the Instructions annexed to the Treaty, which expressly provides the sale of the vessel by public auction.

We also humbly entreat your Lordships' Instructions as to the proposal made, of despatching the vessel employed to convey the negroes to Trinidad, with a British crew and a Spanish agent. There can be no doubt that this would be the most effectual mode of preventing frauds on the passage; but we know not how far it may be possible to come to such an arrangement, nor indeed what measures His Majesty's Government would deem sufficient to guard the negroes against all hazard of such frauds. Our opinion as to the necessity, for the same reason, of a British agent accompanying the slave-vessel, in the event of her being manned by a Spanish crew, has been already laid before your Lordship, in our Despatch of 21st January last.

In that Despatch we stated to your Lordship, that, with every wish to obey the orders of our Government, we felt ourselves wholly incompetent to certify that the negroes sent are free from disease, and not incapacitated for labour, and that we had accordingly taken upon ourselves to propose to the Local Authorities, that they should be examined by a Medical Officer appointed by us. We now venture to call the attention of His Majesty's Government to this subject, as well as to the other points in question, because we see most clearly that it is the decided intention of the Captain-General to avail himself of the permission given by His Majesty's Colonial Department, and to despatch to Trinidad all negroes who may in future be emancipated. If these unfortunate beings are acceptable in that Island, we may safely assert that by their transmission there the humane object of the Treaty for the Abolition of the Slave Trade will be more effectually secured.

For the present the negroes of the "*Joaquina*" are deposited in the Bedado, (a place 2 leagues out of town, on the sea-coast,) as your Lordship will perceive by the enclosed "Diario" of yesterday, containing a Report of the "*Junta Superior de Sanidad*," in which, by the way, we beg leave to remark one statement as particularly erroneous. The negroes of the "*Negrita*" were not unhealthy, as was shewn by the Medical Certificates at the time, and by the state in which they arrived in Trinidad, and we can only explain the circumstance of so inaccurate a statement having been made to the public, by a desire, on the part of the Authorities, to apologize for the landing of the negroes of the "*Joaquina*," an act which has been exceedingly unpopular in the Havana.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 60.

Extract from the "Diario de la Havana," December 1, 1833.

(Translation.)

Supreme Board of Health, Sitting Extraordinary, held Nov. 19, 1833.

THIS Board having met, in consequence of the Letter which His Excellency the President has addressed to the Secretary, with the view of inquiring the opinion, to which he has always been pleased to show the greatest deference, whether or not, at the present moment, the state of the public health renders it unadvisable to land the blacks taken by His Britannic Majesty's schooner, the "Nimble," which is urgently demanded by her Commander; and taking into due consideration what His Excellency the Intendant of the Army, the Count of Villanueva, states in his yesterday's Letter to the President, namely, that he wished, from his zeal for the inhabitants of this city, whose health might be endangered unless the same measure was adopted now that was taken with respect to the negroes of the goleta, "Negrita," also captured by the "Nimble," to have them sent for security, as on that occasion were those of the "Joaquina," to Trinidad, one of the windward Islands, provided that the President's opinion coincided with his; and seeing the Letter from the Chief Physician, in which he requests His Excellency that the said blacks might not be lodged in the large barracks on the public walk, outside the walls, where on other occasions negroes are usually placed, because that building stands yet within the precincts of the township; and since it would be very useful to take some precautions with them, such as sanitary visits not only on shore, but also on board previous to their being landed, for which visits he offers his services gratuitously; and this Board having likewise learned, from His Excellency's Answer, that he accepts the offer made him, and entertains the same views as to the propriety of removing them for some time from the city, for which purpose he had considered of the advantages presented by the point of Vedado, on account of its locality being suited to such an intent; and the Board being also informed of the other particulars stated in the Letter just mentioned relative to the measures taken by His Excellency, for the proper food and cleanliness of, as well as attendance on, the negroes, while they remained together and unseparated in the place intended for them, to which end he had commissioned the Physician and the Contractor, to whose care they were intrusted, to report to him daily the state of health they enjoyed, and any change they might observe in them; His Excellency finally declaring that, though he had wished to supply, by means of these hands, the loss of those occasioned by the last epidemic, so as to throw the public works considerably into arrear, yet he would rather forego his wishes than neglect the means which were most likely to ensure the success of his determination; and therefore applying to this Supreme Junta, freely to acquaint him by reason of the knowledge it must possess in regard to this subject, whether in fact no danger will result from the landing of those negroes. And the Board having discussed the subject with the care and circumspection which its importance requires, and being convinced that the circumstances in which fortunately we now are placed, with respect to the state of health, are very different from those under which the "Negrita" arrived, as also on the 11th April, the date of the resolution taken on this subject, the state of health was different under which the negroes of that vessel presented themselves, almost all of them being sickly, and many of them dying in the very bay, which was far from being the case with those of the "Joaquina," who arrived in perfect health, and without any other ailments, according to the Report of the Chief Physician, than those usual and common in those protracted voyages and in this class of men; and considering also, that with the precautions pointed out by His Excellency, the inhabitants would run no risk, and his patriotic and generous intentions might at the same time be fulfilled, the Board resolved to report to His Excellency that there would be no difficulty in granting permission for the landing, observing only that it should be effected, if the wind allowed it, at the Point of La Chorrera, which is the nearest to the place where they are to be accommodated, and that if it should not be easy to accomplish it at that point, they should land at the crane of the Punta after nightfall, and should pursue their straight road; the Secretary being authorized, finally, to give currency to the present resolution, solely with the approbation of His Excellency, and without the necessity of its being previously read in the next Sitting, on account of the urgency of the measures above referred to.

Second Enclosure in No. 60.

The Captain-General to His Majesty's Commissioners.

(Translation.)

GENTLEMEN,

Havana, 29th November, 1833.

IN a Meeting of the Chief Authorities of Cuba, which was convoked by me on the 23d instant, your Letter was read of the 21st instant, in which you reply to mine of the 20th, on the subject of transferring to the Island of Trinidad the negroes of the "Joaquina," captured by His Britannic Majesty's schooner, "Nimble." In the same Meeting was also read your Letter of the 16th January last, addressed to His Excellency the Conde de Villanueva, in which you succinctly detail the conditions under which your Government allows the transmission of emancipated negroes to the aforesaid Island. The "Junta," taking the whole into consideration, agreed, among other things, that I should officially inform you that, in conformity with the conditions approved by His Majesty the King of Great Britain, 88 negresses—that is, all the females of the cargo of the aforesaid "Joaquina" will be forwarded to Trinidad with an equal number of males, and, in order to complete 200, which number it has been judged convenient now to despatch, that they be made up with other emancipated negroes who shall possess the requisite qualifications, the number of each sex being always equal.

It was also agreed that a Letter should be written to His Excellency the Governor of Trinidad, informing him that the difficulty of communication with that Island renders the previous notice of 1 month quite impossible; but that, in order to avoid this difficulty, the "Junta" of Authorities has imagined that the same object will be completely secured by the vessel carrying additional provisions sufficient for those 30 days, so that the cargo can remain on board after the vessel's arrival in Trinidad, and the intentions of the Government of His Britannic Majesty be thus fulfilled.

It was also agreed by the same Junta, that by reason of the aforesaid difficulty of communication with Trinidad, the same official Letter to the Governor of that Island should serve as a previous notice to announce that another transmission of such negroes as fall under the required conditions will follow, under the superintendence of His Britannic Majesty's Commissioners, these negroes consisting of an equal number of each sex, being previously clothed, and also examined by Medical Officers appointed by the said Commissioners.

The same "Junta" likewise agreed, that the schooner, "*Joaquina*," having been valued by the Marine, should be repaired, in order to prosecute the voyage to Trinidad, the "*Real Hacienda*" reimbursing, conformably to the valuation, that part which accrues to the Government of His Britannic Majesty—that is, if you will not consent to await the return of the vessel, and her sale by public auction after return.

Finally, it was agreed to request of you that the said schooner be manned by individuals from some English ship-of-war, or other vessels of the same Nation, as was the case with the vessel which carried away the negroes of the "*Negrila*," the vessel having likewise on board a Spanish Commissioner.

I lose not an instant in communicating all this to you, in order that with all possible speed you may have the goodness to inform me of your opinion on the above points, which I have extracted from the Minutes of our proceedings; and I beg to inform you at the same time that the negroes are deposited in the "*Bedado*."

God preserve you many years.

(Signed)

MARIANO RICAFORT.

His Britannic Majesty's Commissioners,
&c. &c. &c.

Third Enclosure in No. 60.

Havana, 30th November, 1833.

THE Undersigned, Commissioners of His Britannic Majesty, have the honour to acknowledge the receipt of the Note of His Excellency the Captain-General, dated yesterday, in which His Excellency has been pleased to state various Propositions, which had been agreed upon at a Meeting of the Chief Authorities of this Island on the 23d instant; these Propositions being as follow:—

1st. That the 88 negresses of the "*Joaquina*" shall be sent to Trinidad with an equal number of males, and also 12 males and 12 females more, so as to make the whole number sent to amount to 200.

2dly. That a Letter shall be written to His Excellency the Governor of Trinidad, stating that the difficulty of communication renders the previous notice of 1 month impossible.

3dly. That the Authorities of Cuba shall, in order to avoid this difficulty, furnish the vessel employed in the conveyance of the above 200 negroes, with provisions for 30 additional days, by which means the said negroes can remain on board the vessel 1 month after the Governor of Trinidad shall have had due notice of their arrival.

4thly. That the above-mentioned Letter to His Excellency the Governor of Trinidad shall also announce the intended transmission, under the inspection of His Majesty's Commissioners, of more emancipated negroes, who shall be clothed, and previously examined by a Medical Officer appointed by His Majesty's Commissioners.

5thly. That the "*Joaquina*" shall be valued, as usual, by the Masters of the Royal Dock-yard, and repaired, in order to convey the above 200 negroes to Trinidad, and that such Moiety of her above-estimated value as may accrue to the British Government shall be paid by the Finance Department of this Island, in the event of His Majesty's Commissioners not agreeing to await the return of the said vessel from Trinidad, and her sale by public auction: and,—

6thly. That His Majesty's Commissioners agree to this schooner, and future vessels in the like predicament, being manned by British sailors, taken either from vessels-of-war or merchant-vessels, it being always understood that they shall carry to Trinidad a Spanish Commissioner, as in the Case of the "*Negrila*."

The undersigned have the honour to state, as far as regards the first of these 6 Propositions, that no difficulty presents itself to them with respect to receiving in Trinidad 200 negroes, when an equal number, according to the proposal, is sent, of both sexes.

With respect to the 2nd Proposition, the undersigned beg leave to state, that His Majesty's Principal Secretary of State for Foreign Affairs has, in his Despatch to them of the 5th July last, enjoined the strictest observance of that condition which requires 1 month's previous notice to the Governor of Trinidad of any proposed transmission to that colony of emancipated negroes.

The undersigned can therefore give no answer to the 3d of the above Propositions, except that they will lose not a moment in referring the question to their Government.

With respect to the adoption of the 4th Proposition, the undersigned see no difficulty whatever; but they must observe, that the 200 negroes now intended to be sent, ought to be forwarded under the inspection of His Majesty's Commissioners, and under precisely the same conditions as any future transmission of negroes.

The undersigned consider themselves, relatively to the 5th Proposal, bound to state, that they deem the offer which their Excellencies the Chiefs of this Island have made to reimburse the British Government one-half of the value of the "*Joaquina*," as estimated by the Masters of the Royal Dock-yard, to be perfectly fair; but they are sorry that they have no power, without the previous consent of their Government, to alter any of the Rules hitherto adopted with respect to the disposal of captured slave-vessels. As to His Majesty's Commissioners agreeing to await the sale of the "*Joaquina*" after her return from Trinidad, it will be obvious that they would, by such assent, exceed their duty, as the vessel might be lost, or at all events deteriorated, previous to her return. The undersigned, however, see no objection, all the other difficulties being obviated, to the "*Joaquina*," when properly repaired and rendered seaworthy (which she is not now), being employed to convey the 200 negroes to Trinidad.

The undersigned fully appreciate the motives of the Chief Authorities of this Island, in making the 6th Proposal, and consider it to be a most honourable evidence of the good faith with which their Excellencies desire that the conditions proposed by the British Government should be executed; but although the undersigned feel how desirable it would be to send the negroes under the charge of a

British crew, accompanied by a Spanish Commissioner, they have no authority or means to carry such a proposal into effect. It need scarcely be said, indeed, that the undersigned would be most happy to agree to this 6th Proposal, if it could be carried into execution by the Spanish Authorities, but they entertain very serious doubts of the practicability, in conformity with the existing Navigation Laws of Great Britain, of navigating a Spanish vessel by a British crew, without a Special Agreement between the 2 Governments on the subject.

Having now had the honour of stating provisionally their Answers to the several Propositions of their Excellencies the Chief Authorities of the Island, the undersigned must repeat, that they will lose not a moment in referring the Letter just received from His Excellency the Captain-General to their Government.

His Excellency the Captain-General,
&c. &c. &c.

In the mean time, &c.
(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

No. 61.

His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 28, 1834.)

MY LORD,

Havana, 16th December, 1833.

WE have the honour to enclose the Copy of a Letter from Lieutenant Bolton, commanding His Majesty's schooner, "Nimble," dated the 7th instant, by which it will appear, that this active Officer has driven the slave-schooner, "Amistad Habanera," on shore, at the Isle of Pines, and been the cause of her destruction, as well as that of another vessel, which we understand to be the schooner, "Mosca." The slaves, in both Cases, however, appear to have been landed on the Isle of Pines.

We have, &c.
(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 61.

SIR,

His Majesty's schooner, "Nimble," at Sea, 7th December, 1833.

I HAVE the honour to state for your information, that on leaving the Havana, after the condemnation of the "Joaquina," in the full conviction that the Isle of Pines was the great resort for vessels engaged in the illicit traffic of slaves, I proceeded immediately to cruise off the shores of that Island, and on the morning of Tuesday, the 3d instant, about 9 A.M., discovered a vessel to windward, running down along the land, under all sail; and soon after observed her to be a large 2-topsail schooner, who on discovering us to be a man-of-war, ran on shore inside the reef of Playa Larga, it blowing strong at the time, and a heavy sea running; it took us until nearly 4 P.M. to beat up to her, during which time she effected the landing of the slaves and crew. As we approached, her masts were cut away, her magazine blown up, and the vessel so effectually fired in all parts, that, on the arrival of our boats alongside of her, it was found quite impossible to extinguish or subdue it. There was evidently a large quantity of oil on board, which fed the flames; and she quickly burnt to the water's edge.

It appears from a name painted on a piece of canvas rescued from the flames, that this vessel was the "Amistad Habanera," and this supposition is confirmed by the crew of the "Manuelita" slave-schooner, which I have captured this day. On the morning of the 4th instant we discovered another vessel, 8 or 10 miles further to windward, which had been recently run on shore and burnt in the same manner. She bore every appearance of the vessel's being engaged in the Slave Trade; and we learned from a fisherman, that she had landed slaves there, and been set on fire by her crew. I have no doubt she had received information from the fishermen of our being cruising off the entrance of their regular landing-place, and, in despair of escaping us, had adopted this desperate alternative.

I have, &c.
(Signed) CHARLES BOLTON,
His Majesty's Commissary Judge, Havana. Lieutenant-Commander.

No. 62.

His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 28, 1834.)

MY LORD,

Havana, 20th December, 1833.

WE have the honour to report to your Lordship the detention of the Spanish slave-schooner, "Manuelita," off the Isle of Pines, on the 7th instant, by His Majesty's schooner, "Nimble," commanded by Lieutenant Charles Bolton. The Captor arrived in the Harbour of the Havana, with his prize and 485 slaves, on the 11th instant; and on the 17th the Sentence of the Mixed Commission was signed, condemning the vessel, and emancipating the 484 slaves now remaining alive.

We have the honour to transmit herewith the Copies of a Letter from the Captor and of his Declaration; also an Abstract of the evidence, and a Translation of the Sentence.

This Case has presented no novelty whatever, except that the "*Manuelita*" was, although not armed at the time of detention, the finest schooner, and fastest sailing vessel engaged in the Slave Trade. She is said to have been largely insured at Barcelona.

The negroes have all been landed, although on first arrival they were placed in quarantine. By the enclosed Copy of a Letter from Lieutenant Bolton to His Majesty's Commissioners, your Lordship will perceive that 2 of them have disappeared after emancipation. We are unable to explain satisfactorily how the same misfortune should thus have occurred to the 2 last vessels condemned; but we have represented Lieutenant Bolton's Statement to the Captain-General.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 62.

MOST EXCELLENT SIR AND GENTLEMEN,

*His Majesty's Schooner, "Nimble,"
Havana, 11th December, 1833.*

I HAVE the honour to inform you that I arrived here this morning, bringing in for adjudication the Spanish slave-schooner, "*Manuelita*," which vessel I captured off the Isle of Pines on the 7th instant, after a chase of 7 hours, during nearly the whole of which time, the wind being light, we were working hard at our sweeps. She is a beautiful large 2-topsail schooner, drawing 17 feet water, and had on board, at the time of capture, 485 slaves, and a crew of 34 men; she made no resistance, having thrown her gun overboard when chased by a strange vessel on the Coast of Africa.

I trust the capture of this fine vessel so soon after the "*Joaquina*," the destruction of the "*Amistad Habanera*," and her being obliged to land her slaves and crew on a part of the coast far from any settlement, where there is neither road nor footpath, and the only inhabitants a few solitary fishermen, living in temporary huts, will act as a check on the Proprietors of these vessels, and convince them, that they cannot, but at an imminent risk, embark their property in his nefarious and disgraceful traffic.

(Signed)

CHARLES BOLTON,

Lieutenant-Commander.

*To his Excellency the Count Fernandina, and the other
Members of the Mixed Commission, Havana.*

Second Enclosure in No. 62.

Declaration of Captor.

I, LIEUTENANT CHARLES BOLTON, commanding His Britannic Majesty's schooner, "*Nimble*," do hereby declare, that on the 7th day of December, 1833, being in or about North latitude 21° 4', and West longitude 82° 26', I detained the schooner named "*Manuelita*," sailing under Spanish colours, and having no guns, commanded by Don José Garay, who declared her to be bound from Lagos on the Coast of Africa to the Isle of Pines, off the Island of Cuba, with a crew consisting of 20 men and 14 boys, whose names, as declared by them respectively, are inserted in a List at the foot hereof, and having on board 485 slaves, said to have been taken on board at Lagos, on the 30th day of October, 1833, and are enumerated as follows:—

	Healthy.	Sickly.
Men	346	2
Women	65	
Boys	70	2
Total	481	4

I do further declare, that the said schooner appeared to be seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew, on their destined voyage to the Isle of Pines, off Cuba. And I do further declare, that the said schooner is particularly clean, and the slaves in remarkably good condition.

(Signed)

CHARLES BOLTON,

Lieutenant-Commander.

(Signed) WILLIAM PENNYCOOK, *Assistant-Surgeon.*
CHARLES SPARSHOTT, *Mate.*

And I do further declare, that on the 9th day of December, 1833, 1 negro died of dysentery.

(Signed)

CHARLES BOLTON,

Lieutenant-Commander.

(Witnesses) WILLIAM PENNYCOOK, *Assistant-Surgeon.*
CHARLES SPARSHOTT, *Mate.*

(Here follow the names of the crew of the "*Manuelita*.")

Third Enclosure in No. 62.

Abstract of the evidence in the Case of the "Manuelita."

LIEUTENANT CHARLES BOLTON, commanding His Britannic Majesty's schooner, "Nimble," being sworn, and having shewn his Instructions, deposed that the contents of his Declaration, now produced and signed by the deponent, are true, as to the state of the captured schooner, "Manuelita," and the number of slaves on board, at the time of her detention, which number is now reduced to 484; that the documents, Nos. 1 to 4 inclusive, now presented to the Court, are those which this deponent collected on board the "Manuelita" at the time of detention, namely,—

1. The Royal Passport.
2. The Muster-roll.
3. The Countersign.
4. The Log-book.

Mr. William Pennycook, Assistant-Surgeon of the said schooner-of-war, "Nimble," being sworn, deposed, that the Declaration of the Captor, now produced, is signed by this deponent, as witness to the truth of its contents, as well as the additional Certificate, stating that 1 negro has died in the interval between the "Manuelita's" arrival in the Havana and the delivery of the whole cargo of negroes up to the Government.

Mr. Charles Sparshott, Mate of the said schooner-of-war, being sworn, deposed, that the Declaration of the Captor, and the Certificate now produced, are signed by this deponent, as a witness to the truth of its contents.

Don José de Cano y Garay, 50 years of age, a native of the Province of New Orleans, in America, but now resident in the Havana, with his family, married, and a Catholic, being sworn, deposed, that he is Master and Mate of the Spanish merchant-schooner, "Manuelita," which has been brought into this port of the Havana, by the English schooner-of-war, "Nimble," on account of the said "Manuelita," when visited, being found to have on board a cargo of bozal negroes; that this detention was made on the south side of this Island of Cuba, in face of the Island of Pines, but at a great distance from land; that this deponent cannot say exactly on what day of the month the "Manuelita" was detained; that of one and other sex 485 negroes were existing on board at the time of detention; that the "Manuelita" sailed from the Havana, on the 17th June last, with a cargo of dry goods, aguardiente, and gunpowder, and Papers for Saint Thomas, at which island she only touched, and made direct for Onis, on the Coast of Africa, where the cargo was landed, and bozal negroes taken on board in return; that 520 negroes were so embarked; that 35 of them died at sea previous to the detention, and 1 more after the detention; that this deponent is not quite sure if 2 be not dead, as there was another negro very sick yesterday; that this deponent is the Owner and Supercargo of the "Manuelita," as well as Captain and Mate; that the "Manuelita" had no other cargo on board whatever except the negroes; that the Papers now produced are the true Papers of the "Manuelita," viz., the Royal Passport, Countersign, Muster-roll, and Log-book, all which this deponent delivered to the Captor at the time of detention; that the "Manuelita" sailed from Onis direct for the Island of Cuba, as will appear from the inspection of the Log-book.

Don Genaro de Garay, 48 years of age, a native of Biscay, and of the town of San Tusce, married, and a Catholic, being sworn, deposed, that he is by profession Second Mate of the Spanish merchant-schooner, "Manuelita;" that this deponent embarked on board the said vessel in this port; that the master, Don José Garay, gave this deponent his place; that this deponent cannot state on what day the "Manuelita" sailed from the Havana; that her outward cargo consisted of dry goods, spirits, and gunpowder; that they sailed for Onis, on the Coast of Africa; that they landed the cargo there, all except the provisions necessary for their sustenance, and that they took on board, in return for the cargo, 523 negroes, as well as this deponent recollects; that this deponent does not recollect the exact day on which they sailed from the Coast of Africa, because he was at that time very sick; that the "Manuelita" made direct for the Island of Cuba; but was on the voyage detained by the British schooner-of-war, "Nimble;" that this deponent cannot exactly state the day of the month on which the detention took place; that more than 480 negroes remained alive at the time of detention; that the rest had died previously at sea; that 1 or 2 negroes died after the detention, on the passage round Cape Saint Antonio to this port; that this deponent knows no other Owner of the "Manuelita" than the Captain who commanded; that he interfered in every affair, and paid the expenses; that the Papers now produced, numbered 1 to 4 inclusive, are truly those of the "Manuelita," which the English Commander seized at the time of detention.

Don Sebastian Casais, 31 years of age, a native of Corcubion, in the kingdom of Galicia, and bishopric of Santiago, unmarried, and a Catholic, being sworn, deposed that he is Boatswain of the Spanish merchant-schooner, "Manuelita;" that this vessel has been brought into this port by an English schooner-of-war, on account of negroes having been found on board; that the "Manuelita," was detained by the said schooner-of-war, in sight of the Isle of Pines, on the South side of this island; that the day of her detention was, as well as this deponent remembers, the 7th instant; that more than 480 negroes were then remaining on board; that this deponent cannot state more exactly the number of negroes then remaining alive; that the "Manuelita" sailed from this port of the Havana, on the 17th June last, with a cargo of dry goods, aguardiente, and gunpowder; that she made for Onis, on the African Coast, a place at the mouth of the River Lagos; that she there took on board, in return for her cargo, 520 bozal negroes; that the "Manuelita" sailed from Onis for the Island of Cuba on the 30th of October last, as well as this deponent recollects; that more than 30 negroes had died upon the passage previous to the detention; that this deponent cannot state how many died afterwards, on account of his having been removed on board the capturing schooner; that this deponent cannot say whether the 4 Papers now produced, or any of them, are truly those with which the "Manuelita" sailed; that this deponent obtained his place of Boatswain from the Master, Don José Garay, who alone this deponent knew as arranging every thing relative to the schooner.

Fourth Enclosure in No. 62.

Sentence in the Case of the "Manuelita."

IN the always most faithful City of the Havana, on the 17th day of December, 1833, the Most Excellent Señor Don José Maria Herrera y Herrera, Conde de Fernandina, &c., and William Sharp Macleay, Esq., the Spanish and British Commissary Judges, having met together, and taken

into their consideration the proceedings consequent upon the detention made on the 7th day of this month, in latitude 21° 4' North, and longitude 82° 26' West, by the English schooner-of-war, "Nimble," commanded by Lieutenant Charles Bolton, of the Spanish merchant-schooner, "Manuelita," Don José Garay, Master, with a cargo of 485 bozal negroes on board at the time of detention, of whom 1 died previously to the arrival in this port; and it being completely proved, as well by the Declaration, of the Spanish Captain and other witnesses examined, as by the Papers found on board the "Manuelita," at the time of her detention, that she sailed from this port on the 17th June last, with Papers, and a cargo for the Island of St. Thomas, but made for Onís, on the Coast of Africa, where she took on board 520 slaves, which number, by reason of the deaths on the passage, was reduced at the time of detention to 485, from whom 1 negro more must be further deducted, as having died after capture, on the passage to this port, so that there remain now alive 484. Whereupon the Commissioners resolved that they ought to declare, and do hereby declare, with all due regard to the merits of the Case, and according to the brief and summary mode of proceeding which has been adopted in all similar Cases, on the truth being made known, that the capture of the above-mentioned schooner, "Manuelita," as well as that of the 485 negroes found on board, is good and legal; and that the said schooner, "Manuelita," with all her tackle, apparel, and whatever else may appear in the formal Inventory, as belonging to her, are subject to confiscation, all except the 484 negroes now alive, who are hereby declared to be free from all slavery and captivity. In consequence whereof the Commissioners order that the condemned vessel, and all that belongs to her, be valued by the principal Masters of the Royal Dock-yard, they being previously sworn to perform faithfully the duty entrusted to them; and that the whole be sold by public auction, before the public Scrivener, Don Manuel Fornari, who is authorized to sell her, so that the produce of the sale may be applied to the benefit of the 2 Governments; the said vessel being for the present placed in deposit with Don Jayme Andreu, who shall likewise swear faithfully to perform his duty, and shall receive her from the Captor, according to formal Inventory. The Commissioners shall likewise proceed without further delay to deliver, according to the customary form, by the hands of their Secretary, to the above-mentioned negroes, now remaining alive, their Certificates of Emancipation; and they shall also address a Despatch to His Excellency the Captain-General, with a certified Copy of this Sentence, in order that he may adopt the proper measures to give it effect, and because the crew of the schooner, "Manuelita," remain in prison, at his Excellency's disposal. And by this their Sentence, definitively judging, thus have the Commissioners provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed)

EL CONDE DE FERNANDINA.
W. S. MACLEAY.

(Signed) JUAN FRANCISCO CASCALES,

Secretary.

Fifth Enclosure in No. 62.

GENTLEMEN,

His Majesty's schooner, "Nimble," Havana, December 18, 1833.

I BEG leave to state, for your information, that in delivering up the negroes taken on board the "Manuelita" to the Spanish Authorities this day, 2 of the number were missing. I am quite certain that the account of these at first taken was correct; but I beg leave to call your attention to the fact, that during the time the Spanish Authorities prohibited our having any intercourse with our prize, it was currently reported in the city that 2 of the negroes had been brought on shore from the "Manuelita;" that during the whole of that time a boat, said to be a Government boat, was laying astern of her, and that the water-tank was also sent alongside, in one of which I cannot but suppose they must have been conveyed away.

Although I was not permitted to relieve the prize crew, exhausted by previous watching and anxiety, I am quite satisfied that no want of vigilance or attention can be attributed to the Officers in charge of her.

I have, &c.

The British Members of the Mixed
Commission, Havana.

(Signed)

CHARLES BOLTON,
Lieutenant Commanding.

No. 63.

His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 28, 1834.)

MY LORD,

Havana, 31st December, 1833.

WE have the honour to inform your Lordship, that the following vessels have safely arrived from the Coast of Africa, with cargoes of slaves, viz. the "Tres Amigos," alias "Almirante," Don José Marscuach, Master; the "Empresa," Don José Blanco, Master; and the brig, "Teresita," Don Claudio Alvarez, Master.

We also regret to state, that no less than 6 Spanish vessels have sailed for the Coast of Africa within the month, viz. the brig, "Zafiro," José Mora, Master, on the 5th instant; the brig, "Vengador," Ildefonso Garcia, Master, on the 7th instant; the schooner, "Pantica," Mariano Carbo, Master, on the 15th; the schooner, "Aguila de Oro," Domingo Pratts, Master, on the 15th; the schooner, "Clotilde," Manuel Llovet, Master, likewise on the 15th; and the schooner, "Pepilla," P. Olive, Master, on the 25th.

We have, &c.

(Signed)

W. S. MACLEAY.
CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 64.

His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 28.)

MY LORD,

Havana, 1st January, 1834.)

IN pursuance of the Act of Parliament, 5 George IV., entitled an Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade, we have the honour to enclose a Return of the Cases adjudicated in this Court of Mixed Commission during the last 6 months.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 64.

Return of Spanish slave-vessels brought before the Mixed Commission for Adjudication, between the 1st July, 1833, and 1st January, 1834.

Name of Vessel.	Date of Seizure.	Property Seized.	Name of Seizor.	Date of Sentence.	Decretal part of Sentence, whether Forfeiture or Re-stitution.	Whether Property condemned has been sold or remains unsold, and in whose hands the proceeds remain.
Joaquina.	10th Nov.	{ Schooner, having on board 329 slaves. }	Lieutenant Charles Bolton, of H. M. schooner, "Nimble."	21st Nov.	Forfeiture.	{ This vessel, tackle, &c. remains for sale by the Mixed Commission, the whole being for the present in deposit with Don Jayme Andreu. }
Manuelita.	7th Dec.	{ Schooner, having on board 485 negroes. }	Do.	17th Dec.	Forfeiture.	Do.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

No. 65.

His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 28.)

MY LORD,

Havana, 1st January, 1834.

WE are grieved to state that the year just expired shews no decrease whatever, but rather an increase in the Slave Trade of this port.

In the year 1832 there sailed from the Havana, according to the List we have the honour to enclose, 31 slave-vessels, of which 1 was Portuguese. Of the remaining 30 Spanish vessels, no less than 22 have safely landed their cargoes, 3 only being known to us as having been captured by His Majesty's cruisers, so that the fate of 5 remains to be ascertained.

The number of slave-vessels which have sailed from the Havana, in 1833, according to the enclosed List, is 38, among which are 2 Portuguese. Of the 36 Spanish vessels, no less than 5 have openly cleared out for Lagos, or San Pablo de Loando, on the African continent, and 8 have already returned and landed their cargoes. Two of them, however, have been captured by His Majesty's schooner, "Nimble," and lately condemned at the Havana.

We also have the honour to enclose a 3d List, being that of the slave-vessels which have arrived in this port during the year 1833. These are 27, of which 4 were Portuguese. Exactly the same number of slave-vessels came into the Havana in 1832.

We are unable to state with precision the degree to which the Slave Trade prevails in the other ports of the Island; but we understand, from His Majesty's Naval Officers, that it is carried on at Santiago de Cuba in so indecently glaring a manner as to call for particular inquiry.

Although, at this great distance from the place, we have few means of knowing accurately what passes there, we may state that, on the 31st October last, the schooner, "Iberia," José Pugol, Master, landed slaves close to Santiago. At Trinidad, on the southern Coast, slave-vessels are also fitted out for the Coast

of Africa, among which we may specify the schooner, "*Mosca*," Tomas Elortegui, Master, which sailed on 3d March last.

The great mortality which took place last year in the black population, in consequence of the invasion of the Havana by cholera, has, now that the panic is over, occasioned, in some quarters, a great demand for African negroes, and, upon the whole, has given a considerable impulse to the Slave Trade, which, as we have repeatedly had the honour of stating to your Lordship, is carried on by individuals having little connexion with the Island of Cuba, and who certainly take no interest whatever in its ultimate prosperity.

Although we are well aware of your Lordship's being already convinced of the fact, we must repeat that the Slave Trade is only nominally abolished by Spain, as long as she refuses to declare it piracy, or protects vessels from condemnation that are evidently fitted up for this detestable traffic.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 65.

List of the arrivals of Slave-vessels in the Havana from the Coast of Africa, during the year 1833.

No.	Date.	Nation.	Class.	Name of Vessel.	Name of the Master.
	1833.				
1	5 January	Spanish	Schooner	Amistad Habanera . .	Manuel Fernandez.
2	13 "	Portuguese	Brig	Maria Teresa	Pedro Jozé Neta.
3	21 "	Spanish	Schooner	Metemano (<i>alias</i>) Mosca .	Pedro Manegat.
4	29 "	"	Brig	Vengador (<i>alias</i>) Marinero	Ildefonso Garcia.
5	17 "	"	Schooner	Manuelita	Guillermo Villar.
6	25 "	"	Brig	Llobregat	José Antonio Vega.
7	16 March	Portuguese	Schooner	Esperanza	Cosme Jozé Rodriguez.
8	20 "	Spanish	Brig	Urraca	Domingo Castro.
9	14 April	"	"	Carolina	Juan Pinto.
10	21 May	"	"	Empresa	José Benito Pardo.
11	11 June	"	"	Volador	José Carbo.
12	21 "	"	Schooner	Francisca	José Ramon Sustache.
13	5 July	"	"	Segunda Gallega	Joaquin Blanco.
14	9 "	Portuguese	"	Deidade	Jacinto P. Carneiro.
15	11 "	"	Brig	Leijero	J. P. de Mettos.
16	16 "	Spanish	"	Juanita	Domingo Elorduy.
17	27 "	"	Schooner	Tres Manuelas	José Puig.
18	5 August	"	Brig	Zafiro	Gabriel Igareda.
19	12 "	"	"	Maria	Antonio Pullet.
20	5 Sept.	"	"	Alerta	Antonio Ferreyra.
21	26 "	"	Schooner	Pantica	Anselmo Bencomo.
22	25 October	"	Brig	Urraca	José Nocedal.
23	3 Nov.	"	"	San Pedro (<i>alias</i>) Vengador	Ildefonso Garcia.
24	3 "	"	"	Andaluz	Francisco Garcia.
25	22 "	"	"	Tres Amigos (<i>a.</i>) Almirante	José Marscuach.
26	8 Dec.	"	"	Empresa	José Blanco.
27	24 "	"	"	Teresita	Claudio Alvarez.

Second Enclosure in No. 65.

List of Slave vessels which have sailed from the Port of the Havana for Africa, during the year 1833.

No.	Date.	Nation.	Class.	Name of Vessel.	Name of the Master.	Remarks.
	1833.					
1	12 Jan.	Spanish	Schooner	Francisca	{ Juan Ramon de } Sustache	Returned 21 June, 1833.
2	13 "	"	Brig . .	Alerta	Antonio Ferreyra .	Returned 5 Sept.
3	"	"	"	Maria	Antonio Pullet . .	Returned 12 August.
4	"	"	"	Volador	José Carbo	Returned 11 June.
5	1 Feb.	"	Schooner	Juanita	Domingo Elorduy .	Returned 16 July.
6	3 "	"	"	{ Mosca, <i>alias</i> } { Metemano }	N. Eseja	Sailed for Bahia.
7	4 "	"	"	{ Amistad Ha- } banera }	Manuel Fernandez	{ Destroyed after having } landed her negroes.
8	16 "	Portuguese	Brig . .	Maria Teresa . . .	Pedro Jozé Netto .	Sailed for Bahia.
9	24 "	Spanish	Schooner	Pantica	Anselmo Bencomo .	Returned 26 Sept.
10	"	"	"	Especulacion . . .	José M. Gonzalez.	
11	29 March	"	"	Mosca	Juan Rodriguez . .	{ Said to be destroyed af- } ter having landed her } negroes.

List of Slave-vessels which have sailed from the Port of the Havana for Africa, during the year 1833.
(Continued.)

No.	Date.	Nation.	Class.	Name of Vessel.	Name of the Master.	Remarks.
12	1833. 21 April	Spanish	Schooner	Joaquina . .	Juan R. Verger .	{ Captured with 329 negroes, by His Majesty's schooner, "Nimble."
13	5 June	"	Brig . .	Llobregat . .	José Ant. de la Vega	
14	8 "	"	"	Empresa . .	José Benito Pardo	{ Do.; but returned as from Isla de Principe, on the 8 Dec.
15	12 "	"	"	Carlota . .	Gumesindo Loureiro	{ Sailed also for Bahia.
16	16 "	"	"	Vengador . .	Pedro Badia . .	{ Returned 3 Nov.
17	17 "	"	Schooner	Manuelita . .	Jos Garay . .	{ Sailed for Lagos, and was, with 485 negroes, captured by "Nimble."
18	19 "	"	Brig . .	Belencita . .	Santos Alonzo . .	{ Sailed for Bahia.
19	20 "	"	"	Abencerrage . .	Antonio Estevez .	{ Do.
20	15 July	"	Schooner	Pronta . .	Pedro Manegat .	{ Do.
21	"	"	"	Francisca . .	Miguel Martorall .	{ Sailed for San Pablo de Loando.
22	20 "	"	"	Narcisa . .	Antonio Comas .	{ Sailed for Lagos.
23	24 "	"	"	Carmen . .	Mariano Carbo . .	
24	31 "	"	Brig . .	Jacinto . .	Francisco Roverosa	{ Sailed for Bahia.
25	11 Sept.	"	Schooner	Mercedita . .	— Casas	{ Sailed for San Pablo de Loando.
26	25 "	"	Brig . .	Temerario . .	José Maria Moreno	{ Sailed for Bahia.
27	26 "	"	"	Carolina . .	José Prieto	{ Sailed for San Pablo de Loando.
28	6 Oct.	"	"	El Mismo . .	Jacinto Llovet . .	{ Sailed for San Pablo de Loando.
29	8 "	"	Schooner	San Gabriel . .	Pablo Oliver . . .	{ Sailed for San Tome.
30	20 "	"	"	Tres Manuelas .	José Marquez . . .	{ Sailed for Bahia.
31	27 "	"	Brig . .	Alerta	Antonio Ferreyra .	{ Do.
32	"	Portuguese	Schooner	Deidade	M. B. de los Santos	{ Sailed for Principe.
33	5 Dec.	Spanish	Brig . .	Zafiro	José Mora	{ Sailed for Santonie.
34	7 "	"	"	Vengador . . .	Ildefonso Garcia .	{ Sailed for Principe.
35	15 "	"	Schooner	Pantica	Mariana Carbo . .	{ Do.
36	"	"	"	Aguila de Oro .	Domingo Pratts . .	{ Sailed for Cape de Verds.
37	"	"	"	Clotilda	Manuel Llovet . .	{ Sailed for Principe.
38	23 "	"	"	Pepilla	Pablo Olive	{ Do.

Third Enclosure in No. 65.

List of Slave-vessels which have sailed from the Port of the Havana for Africa during the Year 1832.

No.	Date.	Nation.	Class.	Name of Vessel.	Name of the Master.	Remarks.
1	1832. 15 Jan.	Spanish	Schooner	Prueba	Antonio Ferreyro .	{ Condemned at Sierra Leone.
2	1 Feb.	"	Brig . .	Urraca	José Maria Moreno	
3	4 March	"	"	Volador	Antonio Esteves . .	{ Returned 21 Aug. 1832.
4	25 "	"	Schooner	Tres Manuelas .	Andres Puig	{ " 2 Dec. "
5	"	"	"	Segunda Gallega	Fortunato Romero .	{ " 23 Oct. "
6	"	"	"	Teresa	José Maria de Cunha.	{ " 12 Oct. "
7	1 April	Portuguese	Schooner	Joven Maria . .	Antonio Benaser . .	{ " 29 Jan. "
8	8 "	Spanish	Brig . .	Marinero	Ildefonso Garcia . .	
9	13 "	"	"	Llobregat . . .	Juan Bauta. Arrarte.	{ " 27 Aug. "
10	14 "	"	"	Catalana	José Ant. de la Vega	{ " 3 Sept. "
11	29 "	"	Schooner	Veloz	Angel Ximenes . .	{ " 8 Oct. "
12	11 May	"	"	Juanita	Domingo Elorduy . .	{ " 11 Dec. "
13	11 June	"	Brig . .	Abencerrage . .	Pedro Badia	{ " 25 Dec. "
14	17 "	"	"	Negrita	Francisco Ant. Sarria	{ Captured with 526 negroes, by His Majesty's ship, "Victor."
15	24 "	"	"	Agatocles . . .	Antonio Alonzo . .	
16	1 July	"	Schooner	Francisca . . .	Juan Tremuel . . .	{ Returned 27 Dec. 1832.
17	14 "	"	"	Pantica	Juan Bautista Manina	{ " 27 Nov. "
18	22 "	"	"	Amistad Habanera	Manuel Fernandez .	{ " 22 Dec. "
19	5 August	"	"	Vencedora . . .	Ramon Nosedal . .	{ Returned 5 Jan. 1833.
20	12 "	"	"	Manuelita . . .	Guillermo Villar . .	{ " 17 Feb. "
21	16 "	"	"	Mosca	Pedro Manegat . .	{ " 21 Jan. "
22	21 "	"	"	Panda	Pedro Gibert . . .	{ " 20 Mar. "
23	23 Sept.	"	Brig . .	Urraca	Santiago Delix . .	
24	1 Oct.	"	"	Llobregat . . .	José Ant. de la Vega	{ " 25 Feb. "
25	"	"	"	Desengaño . . .	Francisco Loureiro .	{ " 14 April "
26	30 "	"	"	Carolina	Juan Pinto	
27	4 Nov.	"	"	Veloz	Fortunato Romero .	{ " 21 May, "
28	2 Dec.	"	"	Empresa	José Benito Pardo .	
29	"	"	Schooner	Segunda Gallega	Joaquin Blanco . .	{ " 6 July, "
30	16 "	"	"	Tres Manuelas .	Don J. Marquez . .	{ " 27 July, "
31	28 "	"	"	Segundo Socorro	José de Ynza . . .	{ Said to be condemned at Sierra Leone.

RECAPITULATION.

Returned and landed their cargoes	22
Condemned at the Havana	1
Condemned at Sierra Leone	1
Said to have been condemned at Sierra Leone	1
Fate unknown	6
Total	31

No. 66.

His Majesty's Commissioners to Viscount Palmerston.—(Received February 28.)

MY LORD,

Havana, 7th January, 1834.

ON the subject of the 2 emancipated negroes who were reported to us by Lieutenant Bolton as having disappeared from the "*Manuelita*," we have the honour now to enclose the Translation of a Note from the Captain-General, in which his Excellency acquaints us that he has referred the affair to his First Assessor-General.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 66.

(Translation.)

GENTLEMEN,

Havana, 3d January, 1834.

As soon as I received your Note of the 22d ultimo, with the enclosed Copy of the Letter addressed to you by Lieutenant Charles Bolton, Commander of His Britannic Majesty's schooner, "*Nimble*," on the subject of the disappearance of 2 of the negroes of the schooner, "*Manuelita*," I referred the whole affair to the Lieutenant-Governor, First Assessor-General of this Government, in order that he might proceed, in so delicate a matter, according to the forms of justice; and of the result of his investigation you shall, in due time, be informed.

God preserve you many years.

The British Commissioners, Havana,

&c.

&c.

&c.

(Signed)

MARIANO RICAFORT.

No. 67.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 27.)

MY LORD,

Havana, 25th January, 1834.

WE have the honour to acquaint your Lordship that soon after the condemnation of the "*Manuelita*," the Intendant made a proposal to the Mixed Commission to purchase her at two-thirds of the valuation by the Masters of the Royal Dock-yard, in order that she might be forthwith employed to convey emancipated negroes to Trinidad. The Mixed Commission replied that the Treaty, which specially provides for the *Public Sale* of condemned vessels, rendered this step impossible. The "*Manuelita*," was accordingly brought to public auction, and purchased by the Intendant at two-thirds of the valuation, which is the lowest price at which such sales are legally valid.

We have now to inform your Lordship that the Captain-General addressed us a Letter, dated the 31st ultimo, a Translation of which we have the honour to enclose, in which the Junta of the 3 Chief Authorities is declared to have agreed to those conditions which we had stated to His Excellency as being indispensable for the removal of any emancipated negroes to Trinidad. We have the honour to enclose a Copy of our Answer, dated the 2d January, in which we proposed, among other things, that when the negroes should have been approved by Dr. Meikleham, an English physician established in this city, the original Certificates of emancipation might be sent along with them to Trinidad. We beg leave to send herewith the Translation of a Note from his Excellency, in answer, dated the 3d instant, enclosing a Copy of his Commission to Don Luis Payne, authorizing him to set aside such of the negroes of the "*Joaquina*" and "*Manuelita*" as might be fit to be sent, according to the conditions, in the schooner, "*Manuelita*," to Trinidad.

M

We have also the honour to enclose the Translation of another Letter from His Excellency, dated the 10th instant, in which he states that 106 males and 106 females had been put aside as sound and healthy for Dr. Meikleham's inspection.

We accordingly, in a Letter, dated the 13th instant, of which a Copy is enclosed, requested the proper Authority for this gentleman to inspect them, which was given on the same day in another Letter of the Captain-General, a Translation of which is likewise enclosed.

We have also the honour to transmit the Copy of a Letter which we addressed to the Captain-General, on the 16th instant, stating that all the formalities requisite on our part had been completed, and we enclose a Translation of His Excellency's Answer.

It will appear from the Captain-General's statement in his Note of the 31st ultimo, that a notice of the intended transmission of these negroes was sent, on the 16th December last, to the Governor of Trinidad, by way of Jamaica, so that, on the evening of the 16th instant, the "*Manuelita*" sailed with them, having additional provisions on board for 30 days after arrival at her destination—a measure which was adopted in order to meet the possibility of any delay in the notice sent by way of Jamaica.

We furnished the "*Manuelita*," previously to sailing, with a Certificate, to prevent her being interrupted or detained by any of His Majesty's cruisers on the voyage; but we took care that it should be understood, that this document was to be given up with the negroes to the Governor of Trinidad, by the Captain in charge.

We have the honour to enclose a Copy of a Letter, which we addressed, with the original Certificates of emancipation, to His Excellency, the Governor of Trinidad. We further beg leave to enclose a Certificate from Dr. Meikleham, a graduate of Oxford and Glasgow, to prove that the 212 negroes sent were healthy and sound. To this medical gentleman we feel ourselves greatly indebted for his readiness in offering to give us, without making any previous stipulation whatever, such a Certificate, for the satisfaction of His Majesty's Government, as we felt ourselves perfectly incompetent to give, and we venture most humbly to solicit, in the event of such Certificates being required in future, such remuneration for his services as your Lordship may deem proper. We were obliged to avail ourselves of his assistance, because we could not conscientiously give that assurance of these negroes being capable of labour which is required by His Majesty's Colonial Department, and because we did not feel that this inability on our parts would justify us in retarding any longer the transmission of these negroes to their destination. It will be perceived from the above Correspondence, that the question of a British Agent to accompany Spanish vessels to Trinidad has been left open by common consent, until your Lordship shall be pleased to honour us with Instructions on the subject.

The negroes were all sent comfortably clothed, and His Majesty's Commissioner of Arbitration, who accompanied Dr. Meikleham into the country to the depôt, was gratified to observe, that the Spanish Local Government had even furnished them with warm clothing to provide against the cold, which at this season of the year may be expected on their getting into the latitude of the Bermudas, which they must at least reach in order to enable them to make a speedy voyage from the Havana to Trinidad.

We are not indeed aware that any of the conditions laid down by His Majesty's Government have been neglected, and we hope that those which we have thought it absolutely necessary to add, will meet your Lordship's approbation.

We feel ourselves more anxious than ever for Instructions from His Majesty's Government on those points which we have already had the honour to refer to it.

We beg leave to enclose a "*Diario*" of the 23d instant, containing a Notice from the Captain-General to the public, respecting the remaining male negroes of the "*Joaquina*" and "*Manuelita*;" in which "*Diario*" will also be found a very important Decree, with respect to the investigation now going on of the number of deaths by cholera among the negroes that had been previously emancipated.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 67.

(Translation.)

The Captain-General to His Majesty's Commissioners.

GENTLEMEN,

Havana, 31st December, 1833.

IN order to be able to give a satisfactory Reply to your official Note of the 21st instant, in all its various points, I convoked a Junta of the Chief Authorities of this Island, who, among other things, agreed to the following Resolutions :—

ARTICLE I.—That the Señor Superintendent-General shall take the necessary steps to realise the purchase of the "*Mamelita*," in order to effect the transmission of emancipated negroes to Trinidad; His Excellency, the Commander-in-Chief on the Station, arranging every thing with respect to the crew of the said vessel, according to what has been agreed upon.

ARTICLE II.—That the Most Excellent Señor President shall manifest to the Commissioners of His Britannic Majesty, by means of the proper documents, the state of health which fortunately reigns at present throughout the whole Island, transmitting to them for that purpose a Copy of the "*Acta*," of the "*Junta Superior de Sanidad*," in which the Island of Cuba was declared free from the epidemic, and in virtue of which clean Bills of Health were ordered to be issued.

ARTICLE III.—That in like manner the Most Excellent Señor President shall inform the Commissioners of His Britannic Majesty, that, in addition to the suppletory means which, by reason of the absolute want of communication with Trinidad, this Junta had previously adopted, an official Letter, dated the 16th instant, was despatched by His Excellency, through the Governor of Santiago de Cuba and by way of Jamaica, to His Excellency the Governor of Trinidad, informing him of the intended transmission of emancipated negroes; but that nevertheless the aforesaid schooner shall carry provisions more than sufficient for 30 days after her arrival in the said Island, by which means the object of the required previous notice will be completely attained.

ARTICLE IV.—That an equal number of both sexes of able-bodied negroes having been put apart, His Excellency the President shall address a Letter to the Most Excellent Señor, and other Judges of the Mixed Commission, requesting them to direct the delivery of the "*filacion*" of each negro, with their African names, and the Christian name that may have been assigned to each by the said Commission, or, in other words, a Copy of the Certificate of emancipation which belongs to each negro, duly certified by the Secretary.

ARTICLE V.—That it is very conformable to the rights of each Nation that a British Agent should go in each Spanish vessel employed to convey emancipated negroes to Trinidad, and that this Junta had therefore previously desired that the crew should be composed of British subjects, to be accompanied in like manner by a Spanish Commissioner. The consideration indeed is both reciprocal and just.

ARTICLE VI.—That His Excellency the President of this Junta shall likewise assure the Commissioners of His Majesty the King of Great Britain, that the negroes shall be carefully maintained with healthy and abundant food, not only during the voyage, but also 30 days afterwards, if His Excellency the Governor of Trinidad should so require it.

ARTICLE VII.—That it would be very advantageous to proceed without loss of time to the separation of the able-bodied negroes of the "*Joaquina*" and "*Manuelita*," with reference to the necessary equality of sexes and other conditions, in order that a List may be made out of the number belonging to each, and in order that the Mixed Commission may be requested to furnish certified Copies of the corresponding Certificates of emancipation with which they are to proceed to Trinidad. And it being very advisable, that this operation should be executed by the Medical Officer named by the British Commissioners, His Excellency the President shall therefore make the necessary communication to the said Gentlemen, informing them at the same time of the enormous expense this "*Real Hacienda*" is now incurring, as long as both these "cargoes remain in deposit."

These several Articles I hasten now to communicate to you, Gentlemen, in order that you may be pleased to give me, without loss of time, your opinion on the subject of the examination of these negroes, and also in order that you may name the Medical Gentleman whose office it will be to examine them, so that the increasing expense that is incurred in both these depôts may be avoided. I request this, because I think that every obstacle has now been removed that could have occurred to prevent the transmission of these negroes to Trinidad, in such a number as may be possible, keeping the sexes equal. And as to the state of health which fortunately this Island enjoys at present, I beg to enclose the "*Diario*" of this city of the 11th instant, in which is inserted the "*Acta*" of the Superior Board of Health, declaring the whole island free from the epidemic, and directing, in consequence, the issue of clean Bills of Health. God preserve you many years.

(Signed) MARIANO RICAFORT.

The Commissioners of His Britannic Majesty,
 &c. &c. &c.

Second Enclosure in No. 67.

*His Majesty's Commissioners to the Captain-General.**Havana, 2d January, 1834.*

THE Undersigned, Commissioners of His Britannic Majesty, have the honour to acknowledge the receipt of the Note of His Excellency, the Captain-General, dated the 31st ultimo, in which His Excellency details 7 Resolutions that have been agreed upon by the Chief Authorities of this Island, at a Meeting which was convoked for the purpose of adopting measures the most advisable for forwarding emancipated negroes forthwith to Trinidad.

By the 1st of these Resolutions the Undersigned learn that the schooner, "*Mamelita*," now purchased by His Excellency the Intendant at public sale, is to convey to Trinidad a certain number of the negroes of the 2 schooners last condemned, and that His Excellency the Commander-in-Chief of the Station is to furnish her with a crew.

By the 2d Resolution the Undersigned learn, with unfeigned satisfaction, that the Island of Cuba is at present free from cholera; and they take the opportunity to acknowledge His Excellency the Captain-General's attention, in forwarding to them a Copy of the "*Diario*," which contains the "*Acta*" of the Superior Board of Health, directing the issue of clean Bills of Health.

By the 3d of these Resolutions, the Undersigned understand that on the 16th December last, the required previous notice of a month was sent by way of Cuba and Jamaica, to the Governor of Trinidad, but that notwithstanding, in order to remove all difficulty, it is determined that the "*Manuelita*" shall carry provisions sufficient to maintain the negroes for 30 days after her arrival in Trinidad. On this last measure, the undersigned have only to observe, that it seems to be the more necessary, by reason of the unfrequency of communication which exists between Jamaica and Trinidad; but at the same time they cannot but reckon this proposal, thus originating with the Spanish Authorities, to be a most convincing proof of the anxiety, on the part of their Excellencies, to comply rigorously with those conditions upon which the British Government has consented to receive these negroes in Trinidad.

On the 4th Resolution the Undersigned have no particular observation to make, unless they might venture to suggest that, as the Secretary of the Mixed Commission retains the Registers of "*filiacion*," perhaps a saving of time, labour, and expense, may be secured by forwarding to the Governor of Trinidad the original Certificates of emancipation instead of certified Copies. These Certificates of emancipation, indeed, with a corresponding List, seem to be all that is necessary to identify the negroes.

By Article 5th the Undersigned are gratified to find, that the Chief Authorities of this Island are in accordance with them on the propriety of the transmission to Trinidad being effected under the joint inspection of both Nations, and they accordingly consider this question to be, by common agreement, reserved until Instructions on the subject shall arrive from His Majesty's Government. In the particular Case of the "*Manuelita*" there seems to be the less necessity for her intended voyage being accompanied by a British Agent, as His Excellency the Captain-General has had the goodness to make to the Undersigned, in conformity to the 6th Resolution, such strong assurances that these negroes shall be properly fed and clothed, not only for the voyage to Trinidad, but for 30 days after the vessel's arrival there.

With reference to the 7th Article, the Undersigned feel so strongly the propriety of affording every facility in their power to the Superior Authorities of this Island, that they have arranged with Dr. D. S. Meikleham, an English physician, established in this city, to examine, with reference to the several Certificates of emancipation, at such time and place as may be determined, the able-bodied negroes who may have been previously separated by the Spanish Authorities, as fit to be sent to Trinidad, in conformity with the already stipulated Conditions.

To these Conditions the Undersigned do not deem it necessary to add more than that they have the fullest confidence that the Officers and crew entrusted, by His Excellency the Commander-in-Chief of the Marine, with the charge of the "*Manuelita*," will exercise the utmost vigilance in the interval which may elapse between the time of examination and that of sailing, since the slightest discrepancy in the documents furnished to the Governor of Trinidad may produce difficulties so serious as to prevent the disembarkation of these negroes—a result, moreover, which the Undersigned will have no power of remedying.

Whenever the necessary arrangements shall be complete, the undersigned will be ready to furnish the requisite Letter to His Excellency the Governor of Trinidad, as well as a Certificate, under their hand and seal, to secure the "*Manuelita*," during this present voyage to Trinidad, from any interruption on the part of His Majesty's cruisers; it being perfectly understood, however, that this Certificate must be delivered up with the other documents to His Excellency, the Governor of Trinidad, on the vessel's arrival at her destination.

His Excellency the Captain-General,
&c. &c. &c.

The Undersigned, &c.
(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

Third Enclosure in No. 67.

(Translation.)

The Captain-General to His Majesty's Commissioners.

GENTLEMEN,

Havana, 3d January, 1834.

It is with the greatest satisfaction that I have learned from your Note of yesterday, that you agree to the various Resolutions which I had the honour to state to you as having been determined on in the "*Junta de Autoridades*."

Without loss of time I have commissioned the Royal Officer, D. Luis Payne, to separate the negresses of both cargoes that are capable of labour, and an equal number of males, and I now enclose to you the Copy of the document by which I have entrusted this charge to the said Payne. When this operation is concluded, I shall send you the List of those individuals who may be found proper to be sent, so that you may have the goodness to direct the medical inspection to take place by the physician named by you, viz. Dr. David Scott Meikleham, whom I shall, as soon as the proper time arrives, immediately authorize to visit both depôts for that object.

When the able-bodied and sound negroes of both sexes are separated, I shall transmit to you, along with the List, the original Certificates of emancipation which belong to each negro, and I now return you my thanks for the noble frankness with which you have done all in your power to facilitate the transmission of these negroes to Trinidad, in conformity with the Conditions.

Renewing, on this account, the assurances, &c.

(Signed) MARIANO RICAFORT.

The Commissioners of His Britannic Majesty,
&c. &c. &c.

Fourth Enclosure in No. 67.

(Translation.)

Commission of Señor Don Luis Payne, Honorary Officer of the "Real Hacienda."

Havana, 3d January, 1834.

I HAVE judged it convenient, by this document, to commission you to proceed to the depôts of emancipated negroes in the *Bedado* and *Estancia de San Nicolas en San Antonio Chiquito*, and there

examine and separate all the negresses, capable of labour, who belong to the cargoes of the "*Joaquina*" and "*Manuelita*;" and, without absolutely confounding these 2 cargoes, you will take an exact note of the number with which these several negresses are marked, and of the names by which they were known in their own country. For this purpose, you will avail yourself always of the assistance of Don Felipe Rodriguez, who will be able to clear up any doubt; and you will recollect the absolute necessity of this List being exact, because, according to it the Certificates of emancipation of each negro have to be transmitted to his Excellency the Governor of the Island of Trinidad. And when the separation of the negresses shall be completed, you will likewise place apart, in the same way as the females, an equal number of sound, robust, and able-bodied males, charging the aforesaid Rodriguez, under the strictest responsibility, with the duty of keeping apart all the negroes who may have been as above selected, understanding well, that if the "*filiaciones*" should not agree with them on their arrival in Trinidad, they will not be admitted into that Island, and thus all the expense incurred by this "*Real Hacienda*" will be lost.

To Señor Don Luis Payne,
&c. &c. &c.

God preserve you,
(Signed) MARIANO RICAFORT.

Fifth Enclosure in No. 67.

(Translation.)

The Captain-General to His Majesty's Commissioners.

GENTLEMEN,

Havana, 10th January, 1834.

IN conformity with what I had the honour to state to you, in my Note of the 3d instant, the Honorary Royal Officer of the "*Real Hacienda*," and Government Interpreter, D. Luis Payne, has finished the operation of separating the able-bodied negroes of the "*Joaquina*" and "*Manuelita*" into an equal number of the sexes, so that their whole number amounts to 212, whose "*filiaciones*" have been verified with the original Certificates of emancipation. Nothing remains, therefore, now to be done, in order that these negroes may embark, except the scrutiny of the medical gentleman, Dr. David Scott Meikleham.

I send herewith the List of the names of the aforesaid negroes, and the corresponding Certificates of emancipation, in order that they may be verified in the scrutiny to be made by the aforesaid Dr. Meikleham: thus they may embark as soon as possible, since the schooner is now ready, and ought to avail herself of the actual weather, so that her expenses may not be augmented by an useless delay.

The Captain, D. Blas Garcia Vior, named for the command of the "*Manuelita*," is a person who has merited the confidence of the Most Excellent Señor Conde de Villanueva, and, in consequence, to him I shall deliver my official Letter to His Excellency, the Governor of Trinidad, together with a Copy of the List; and, if you should not deem it inconvenient, he might also take charge of any Communication which you may have to make to His Excellency, unless you would name a person to accompany the expedition, and to take cognizance of the good treatment of the negroes.

The expedition being now ready, I trust that you will have the goodness to transmit me a Certificate, signed and sealed by you, which may secure the vessel during her voyage to Trinidad from all interruption on the part of His Britannic Majesty's cruisers, which document shall be delivered to His Excellency, the Governor of Trinidad, immediately on her arrival.

I beg of you to accept of the assurances, &c.

(Signed) MARIANO RICAFORT.

The Commissioners of His Britannic Majesty,
&c. &c. &c.

Sixth Enclosure in No. 67.

His Majesty's Commissioners to the Captain-General.

Havana, 13th January, 1834.

THE Undersigned, Commissioners of His Britannic Majesty, have the honour to acknowledge the Letter of His Excellency the Captain-General, dated the 10th instant, and accompanying 212 Certificates, with a List of the emancipated negroes, proposed to be sent to the Island of Trinidad, in the "*Manuelita*." The Undersigned will lose not an instant in furnishing His Excellency with the Letter for the Governor of that Island; and also with the required Certificate for the "*Manuelita*." In the mean time, the undersigned have the honour to request a written authority from His Excellency for Dr. Meikleham to examine the 212 above-mentioned negroes, as soon as he may judge convenient.

The Undersigned have the honour, &c.

His Excellency the Captain-General,
&c. &c. &c.

(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

Seventh Enclosure in No. 67.

(Translation.)

The Captain-General to His Majesty's Commissioners.

GENTLEMEN,

Havana, 13th January, 1834.

I HAVE this moment received your Note of this date; and taking into consideration what you have been pleased to state therein, I have directed Señor D. Luis Payne to go to the house of Dr. D. S. Meikleham, at 8 o'clock in the morning, and to accompany the said gentleman to the visit of the negroes who have been set aside, in order that they may be embarked as soon as possible, and that the present great expense they occasion may be diminished; begging you again, as soon as the Doctor shall have examined them, to be pleased to give me your Letter for the Governor of Trinidad, and also the Certificate which the Captain will have to carry, for the security of his voyage—informing

you, by the way, that it has been necessary to change the Captain, on account of the impossibility of coming to an arrangement with him, and that now, D. Salvador Castello has been appointed to the office in due form.

I beg to renew, &c.

The Commissioners of His Britannic Majesty,
&c. &c. &c.

(Signed) MARIANO RICAFORT.

Eighth Enclosure in No. 67.

His Majesty's Commissioners to the Captain-General.

Havana, 16th January, 1834.

THE Undersigned, Commissioners of His Britannic Majesty, have the honour to inform His Excellency the Captain-General, that the negroes to be sent to Trinidad, in the Spanish schooner, "*Manuelita*," have been examined by Dr. Meikleham; and they now beg leave to transmit to His Excellency the necessary Certificate for the security of the vessel, on her passage to Trinidad, and the requisite Letter to His Excellency, the Governor of that Island.

The Undersigned have the honour, &c.

His Excellency the Captain-General,
&c. &c. &c.

(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

Ninth Enclosure in No. 67.

The Captain-General to His Majesty's Commissioners.

(Translation.)

GENTLEMEN,

Havana, 16th January, 1834.

I HAVE received your Note, dated this day, in which you enclose me the Certificate of security, and also the Packet for His Excellency the Governor of the Island of Trinidad, which the schooner, "*Manuelita*," is to convey there, with 212 negroes of both sexes. These negroes have already been delivered up into the charge of the Captain, D. Salvador Castello, who ought to sail this evening. The said Captain has been directed, immediately on his arrival in the said Island, to deliver up to His Excellency the Governor the above-mentioned Certificate.

I take this opportunity to renew, &c.

The Commissioners of His Britannic Majesty,
&c. &c. &c.

(Signed) MARIANO RICAFORT.

Tenth Enclosure in No. 67.

CERTIFICATE.

WE, the Undersigned, William Sharp Macleay, Esquire, and Charles Mackenzie, Esquire, His Britannic Majesty's Commissioners at the Havana, do hereby certify to all whom it may concern, that the schooner belonging to the Spanish Government, called "*Manuelita*," of 166 Spanish tons, and commanded by D. Salvador Castello, a subject of Her Catholic Majesty the Queen of Spain, has the permission of both the British and Spanish Governments to proceed from the Havana to His Britannic Majesty's Island of Trinidad, with 212 free negroes, half male and half female; which 212 negroes have been emancipated by Decrees of the Mixed Commission established at the Havana, and are now, with the consent of the British Government, to be delivered up to His Excellency the Governor of Trinidad, by the above-mentioned Don Salvador Castello, who, however, is under an obligation to proceed direct to his destination, and to deliver up this Certificate to the said Governor of Trinidad immediately after his arrival.

And we, His Britannic Majesty's Commissioners, do hereby request all Officers, of whatever rank, commanding His said Majesty's squadrons and ships, as well as all others of his subjects to whom it belongs or may belong, not to give the schooner, "*Manuelita*," while proceeding on this mission, any obstruction, nor to occasion her any inconvenience or detention whatsoever, but rather to assist her as much as possible to effect this present voyage to Trinidad. For which purpose, we have, under our hands and official seal, given this Certificate at the City of Havana, on the 16th day of January, in the year of our Lord 1834.

(Signed)

W. S. MACLEAY,

His Majesty's Commissary Judge in the Mixed Commission.

CHARLES MACKENZIE,

His Majesty's Commissioner of Arbitration in the Mixed Commission.

L. S.

Eleventh Enclosure in No. 67.

His Majesty's Commissioners to the Lieutenant-Governor of Trinidad.

SIR,

Havana, 16th January, 1834.

THE Captain-General of Cuba will, by the Spanish schooner, "*Manuelita*," (Don Salvador Castello, Master, who takes charge of this Letter,) inform your Excellency, that the Spanish Authorities of Havana have resolved to despatch the aforesaid vessel with 212 emancipated negroes, to be delivered into your Excellency's charge, in conformity with the permission granted to that effect by His Majesty's Government.

Before giving our sanction to any negroes being sent away from this port, we were very particular, in the first place, to ascertain whether any cholera existed in the territory of the Havana, and we have the satisfaction to state, that we possess the strongest assurances from the Local Government that the whole Island is perfectly free from that disease. Perhaps, moreover, it may not be amiss to

observe, that from the result of our private inquiries, we are inclined to place full faith in the above assurances, and we have the honour to enclose to your Excellency a "Diario" of the 11th ultimo, containing the Minutes of the proceedings of the "Superior Junta de Sanidad," by which clean Bills of Health are directed to be issued.

The next point we insisted upon with the Captain-General was the previous notice to your Excellency of 1 month, as required by His Majesty's Government. This Local Government accordingly addressed your Excellency, on the 16th ultimo, by way of Santiago de Cuba and Jamaica, notifying its intention to send off to Trinidad forthwith, a certain number of emancipated negroes of the cargoes of the schooners, "*Joaquina*" and "*Manuelita*," the former of which vessels was condemned by this Mixed Commission on the 21st November, and the latter on the 17th ultimo. But, not contented with sending this Despatch, the Authorities of Cuba, in order to make sure of the object of the required previous notice being attained, have resolved to victual the crew and passengers of the "*Manuelita*," not only for the voyage, but also for 30 days after her arrival in Trinidad, in order that your Excellency may be put to as little inconvenience as possible, and may, *if necessary*, have the power of keeping them 1 month on board after their arrival.

As, in your Despatch to us of the 27th May last, which we have not before had any opportunity of acknowledging, your Excellency has been pleased to require that the number of females sent should always predominate, or at least, be equal to that of the males, the "*Manuelita*" will now carry 106 females, and an equal number of males, all able-bodied and sound in health, as has been certified by Dr. David Scott Meikleham, an English physician established in this city, whose Certificate to that effect we have now the honour to enclose.

In order to prevent the possibility of any of them being changed, we have the honour to transmit to your Excellency a List of these 212 negroes, and all the 212 original Certificates of emancipation which correspond to them respectively. In these Certificates will be found their African and Christian names, the description of their persons, and every other particular which may be necessary for their identification.

For the purpose of securing the Spanish schooner, "*Manuelita*," from being intercepted or detained by any of His Majesty's cruisers, during this her voyage to Trinidad, we have given her a Certificate, under our hand and seal, which Certificate we have the promise of the Captain-General shall be delivered up to your Excellency by the Captain of the "*Manuelita*," immediately on her arrival; and we beg of your Excellency to secure the document, in order to prevent any improper use being made of it.

The "*Manuelita*" was the last slave-schooner captured by His Majesty's schooner, "*Nimble*," and had on board at the time of detention 485 negroes. She was sold by the Mixed Commission, and purchased by the Spanish Government, for the purpose of taking these negroes to Trinidad. Although we have the strongest assurances from the Captain-General, that the 212 negroes now sent shall meet with every humane attention during this voyage, we shall nevertheless be anxious to know your Excellency's opinion of the state in which they may arrive.

His Excellency, Sir G. Hill, Bart.
&c. &c. &c.

We have, &c.
(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

Twelfth Enclosure in No. 67.

(Translation.)

Extract from the "Diario de la Habana."

HAVING despatched to the Island of Trinidad the 212 negroes, selected from the cargoes of the captured schooners, "*Joaquina*" and "*Manuelita*," the most useful were separated and distributed among the corporations, and the few remaining will be distributed among those persons who applied for them on the notice being issued, on their paying, in proportion, the expenses incurred; it being understood, that, according to the sovereign will of His Majesty, the transmission of emancipated negroes to that Island will be continued, and consequently they will be delivered as in gratuitous deposit, the period of which cannot be fixed; a very necessary caution to those persons who solicited them on precise conditions; it being also understood that, the period having arrived, they will have no claim to reimbursement of the expenses they may have incurred.

No. 68.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 27.)

MY LORD,

Havana, 30th January, 1834.

On the 5th instant the Spanish schooner, "*Especulacion*," José Bravo, Master, sailed for the Coast of Africa; and on the 10th instant the brig, "*Empresa*," Esteban Gattel, Master.

We have also the honour to inform your Lordship, that the Spanish slave-vessels have arrived in this Port in ballast, since the 1st of this month, as follows: viz., the brig, "*Belencita*," Santos Alonzo, Master, on the 3d; the schooner, "*Francisca*," Miguel Martorell, Master, on the 6th; the schooner, "*Carlota*," Gumesindo Loureiro, Master, on the 7th; and the brig, "*Llobregat*," Antonio de la Vega, Master, on the 10th instant; all which vessels were duly reported by us to the Captain-General.

We have, &c.
(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

No. 69.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 2.)

(Extract.)

Havana, 20th February, 1834.

THE Spanish schooner, "*Rosa*," having on board her Master and 3 of his crew, with 290 African negroes, came into this port on the 24th ultimo, under charge of Acting-Lieutenant Graham Gore, and a prize crew: this slave-vessel having been detained in lat. $3^{\circ} 49' N.$, and long. $39^{\circ} 32' W.$ by His Majesty's sloop, "*Despatch*," George Daniell, Esq., Commander. The "*Rosa*," immediately on arrival, was placed in quarantine, and, on the 26th ultimo, we deemed it right to address the Captain-General on the subject, in the Letter a Copy of which we have the honour to enclose. The Captain-General merely informed us, in answer, that he had referred our Letter to the Board of Health, and sent, in the mean time, provisions on board. On the 30th ultimo, however, His Excellency acquainted us by another Letter, the Translation of which is enclosed, that the "*Rosa*" had been admitted to *pratique*, and requested His Majesty's Commissioners to proceed to the immediate adjudication of the vessel, notwithstanding the absence of the Commander of the capturing vessel.

However, His Majesty's Commissary-Judge, in his Letter of the 31st ultimo, a Copy of which is enclosed, thought it his duty to meet the wishes of the Captain-General no further than by proposing that those descriptions of the persons of the negroes which are inserted in the Certificates of Emancipation, should be made out forthwith, even previous to the Sentence of their emancipation being signed. Of this Proposal the Captain-General instantly availed himself, and requested the Mixed Commission to direct it to be acted on, which was accordingly done.

As such extraordinary zeal was shewn to get rid of these negroes, His Majesty's Commissioners thought it right to ask whether a month's due notice of the "*Rosa's*" cargo had been sent to the Governor of Trinidad, and the Captain-General, in his Letter of the 31st ultimo, of which we also enclose a Translation, answered, that the proper notice was to be sent in triplicate, by different channels, on the following morning.

On the 1st instant the Mixed Commission met and proceeded with the examination of the witnesses. On the 3d, however, the Court agreed to adjourn until the arrival of the Captor, which there was reason to expect every instant, as well by Mr. Gore's statement as by Commander Daniell's Letter to that Officer, dated the 18th January last. The Spanish Commissary-Judge grounded his decision for adjournment on the interpretation given to the Treaty by the Spanish Government, as to the necessity of the presence of the Captor, and also on his not having sufficient proof of the Captor being duly authorized to detain Spanish slave-vessels. The British Commissary-Judge was induced to concur with the Conde de Fernandina as to the propriety of adjournment, on account of Commander Daniell having retained in his possession all the "*Rosa's*" Papers. Although he could not conceive himself justified in refusing to proceed to adjudication, merely on the ground of the Captor's absence, yet looking to the Earl of Aberdeen's Despatch of the 18th September, 1828, His Majesty's Commissioner was led to conclude that, in the opinion of the Law Officers of the Crown, the examination of the Papers of a detained vessel becomes the more necessary in the event of the absence of the Commander of the capturing ship. Indeed, independently of the necessity, so obvious, of one distinct and definite line of proceeding being adopted by this Mixed Commission in their interpretation of the Treaty, it must be recollected that it is the interest of Portuguese vessels detained on this coast not to be sent to Sierra Leone; and that the unsupported declarations therefore of a slave vessel's crew ought not to be held satisfactory as to the question of her nationality.

When the Captain-General learned that the Mixed Commission had decided on the propriety of adjournment, he addressed a Letter to the Court, urging again, and with greater instance, the immediate adjudication of the "*Rosa*." Of this Letter, and the Answer returned to it, we have the honour to send Translations.

However, on the evening of the 12th instant, the Captor arrived with the "*Rosa's*" Papers and 18 individuals of her crew, and on the 15th the Sentence of Condemnation was signed. We now have the honour to transmit a Translation of this Sentence, a Copy of the Captor's Declaration, and an Abstract of the evidence.

This schooner sailed from Santiago de Cuba on the 2d May last year, and, having taken 293 negroes on board at Ayudah, was detained with 292 still alive

on the 25th December last. It appears from her Papers that she had been boarded by His Majesty's sloop, "Trinculo," on the 31st July last, to the windward of Acera.

(Signed)

W. S. MACLEAY.
CHARLES MACKENZIE.*The Right Hon. Viscount Palmerston, G.C.B.*

&c.

&c.

&c.

First Enclosure in No. 69.

*His Majesty's Commissioners to the Captain-General.**Havana, 26th January, 1834.*

THE Undersigned, Commissioners of His Britannic Majesty, have the honour to state to His Excellency the Captain-General, that, anxious as they are not to infringe in the slightest degree those rules which this Local Government may have judged necessary to secure the health of the population of the Havana, they must remark that now 3 days have nearly elapsed since the arrival in this port of a vessel, said to be a detained slaver; and consequently, as the Captor does not seem to have arrived, the Undersigned must request to be informed by His Excellency, whether the state of health on board this vessel be such as to call for so rigorous a quarantine. The Undersigned also wish to ascertain at what time they may expect to be put in communication with the British Officer on board.

The Undersigned are sure that His Excellency will order every humane attention to be paid to the persons on board this vessel during their period of non-communication with the shore, and that he will abridge this time as much as possible, since, in the event of many persons being cooped up in a small space, the very evil may be occasioned to the health of the Havana which it is the wish of all parties to avoid.

The Undersigned have the honour, &c.

His Excellency the Captain-General,

&c.

&c.

&c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

Second Enclosure in No. 69.

The Captain-General to His Majesty's Commissioners.

(Translation.)

GENTLEMEN,

Havana, 30th January, 1834.

I HAVE the honour to inform you, that yesterday the Superior Board, of Health agreed that the Spanish schooner "*Rosa*," lately captured with bozal negroes on board, should be admitted to free communication and *pratique*; and I hasten to acquaint you with this, in order that you may be pleased to give the necessary orders that the said negroes be delivered up to D. Ramon Morales, who is charged with the care of their clothing and food; as well as with that of their deposit in a healthy place which has been fixed upon, and I hope that you will now take into consideration the unnecessary expense which the "*Real Hacienda*" is likely to incur if you wait for the uncertain arrival of the Captor: indeed, it appears to me that the Mixed Commission can, with all due regard to justice, proceed forthwith to take the evidence of the Prize Master and others, so as to hasten the condemnation of the vessel and the emancipation of her cargo, thus allowing proper measures to be instantly taken for the transmission of these negroes to Trinidad, according to the established conditions.

I beg to renew the assurances, &c.

The Commissioners of His Britannic Majesty,

&c.

&c.

&c.

(Signed)

MARIANO RICAFORT.

Third Enclosure in No. 69.

*His Majesty's Commissary Judge to the Captain-General.**Havana, 31st January, 1834.*

THE Undersigned, His Britannic Majesty's Commissary Judge, has the honour to acknowledge His Excellency the Captain-General's Note of yesterday, and begs, in answer, to inform His Excellency that 290 negroes have been delivered up to D. Ramon Morales on his Receipt, and that the Master of the slave-vessel, D. José Villadarga, and 3 men of his crew, are now on board the schooner, "*Rosa*," at His Excellency's disposal, the Undersigned having only now to request that such of these may be forthcoming as may be required to give their evidence before the Mixed Commission.

Acting-Lieutenant Gore, the Officer in charge of the slaver, informs the Undersigned, that the Captor, Captain Daniell, of His Britannic Majesty's sloop, "*Despatch*," may be momentarily expected. In the mean time the Undersigned, with reference to His Excellency's urgent request that no time may be lost in the adjudication of this vessel, thinks that much delay may be avoided by the "*filiacion*" of the negroes being immediately proceeded in, as this is an operation which usually occupies much time.

With reference to the judicial functions of the Undersigned, the Captain-General is no doubt aware, that the Mixed Commission is bound by oath to observe the formalities prescribed by the Treaty, which formalities can only be altered by the joint consent of the 2 High Contracting Parties; but His Excellency may rest assured that no one can be more anxious than is the Undersigned to relieve the "*Real Hacienda*" from needless expense, and that therefore he will do every thing in his power to expedite the proceedings.

In the meantime, the Undersigned begs to be informed, for the satisfaction of his Government, whether a month's due notice of this intended transmission of negroes has been forwarded to Trinidad.

His Excellency the Captain-General,
&c. &c. &c.

The Undersigned has the honour, &c.
(Signed) W. S. MACLEAY.

Fourth Enclosure in No. 69.

The Captain-General to His Majesty's Commissary-Judge.

(Translation.)

SIR,

Havana, 31st January, 1834.

By your communication, dated this day, I am informed that D. Ramon Morales has received 290 negroes of the cargo of the schooner, "*Rosa*," and you will have already seen, by my official Note of this morning, that I have directed the Master and crew of the slave-vessel to be transferred to the public prison, and to be kept there at the disposal of the Mixed Commission.

Although I informed His Excellency the Governor of Trinidad, by my Letter of the 16th December last, that the transmission of negroes by the "*Manuelita*" would amount to much more than 200, and although the other Letter, of which the Captain of the "*Manuelita*" was the bearer, stated to His Excellency, among other things, as follows: "In truth the previous notice of 30 days occasions insuperable difficulty and heavy expense, on which account it would be very convenient if your Excellency would be pleased to approve a measure that has been adopted by this *Junta* as suppletory, or rather in lieu of that impracticable condition, which measure is that every vessel which, in future, shall convey negroes to Trinidad, shall carry provisions not only for her outward voyage and return, but also for 30 days more, so that she may be kept with her cargo on board, by your Excellency, until their final destination may be fixed; that in the event of your Excellency, without inconvenience, ordering the negroes to be landed within the 30 days, the saving of provisions so resulting shall belong to this '*Real Hacienda*.'" Now I repeat, although both the above Letters may be fairly considered as supplying fully the place of the month's previous notice, I shall write to-morrow, in triplicate, and by 3 different channels, to His Excellency the Governor of Trinidad, informing him of my intention to despatch all the negroes of the "*Rosa*'s" cargo that can be sent, in conformity with the conditions; all which I beg to state to you in answer to your above-mentioned Letter.

His Britannic Majesty's Commissary Judge.

God preserve you many years.
(Signed) MARIANO RICAFORT.

Fifth Enclosure in No. 69.

The Captain-General to the Mixed Commission.

(Translation.)

MOST EXCELLENT SIR AND GENTLEMEN,

Havana, 6th February, 1834.

ALTHOUGH I have learned, with the greatest satisfaction, that the Mixed Commission, acceding to my request, is now engaged in the "*filtracion*" of the negroes detained in the schooner, "*Rosa*;" nevertheless, as my constant object has ever been to shorten the time of the remission of these negroes to Trinidad, in order to lessen the enormous expense which this "*Real Hacienda*" has engaged to defray, I cannot do otherwise than inform you, that if I have taken charge of these negroes, it was alone under the idea that the capturing vessel would immediately come into port. Time, however, is passing away, and a long delay may occur, in which case this Government, which ought not to have received them until after the Sentence, will commit a grievous injury to the Royal Treasury, and thus be the means even of frustrating its own good intentions.

The laws are to be applied to common and regular cases. Extraordinary cases should be ruled by equity; and I think that there would be no inconvenience whatever in your proceeding in this affair forthwith, and sentencing the vessel, since the Prize-Master, part of the Spanish crew, and the *corpus delicti*, are all now here.

Again I beg most urgently to call your attention to the grievous expense occasioned by this delay.

God preserve you many years.
(Signed) MARIANO RICAFORT.

The Most Excellent Señor and other Gentlemen of the Mixed Commission.

Sixth Enclosure in No. 69.

The Mixed Commission to the Captain-General.

(Translation.)

MOST EXCELLENT SIR,

Havana, 8th February, 1834.

THIS Mixed Commission has weighed, with all due consideration, the contents of your Excellency's Communication of the 6th instant, and heartily wishes that it were authorized to comply with your Excellency's urgent request, that the affair of the "*Rosa*" may be immediately concluded, and an expense thus avoided, which, unfortunately, however, has become indispensable, as well by reason of the peculiar nature of the affair as by the forms of our proceedings.

For instance, the want of the "*Rosa*'s" Papers, which the English Commander took possession of at the time of the vessel's detention, but which, not having arrived, have not been appended to the proceedings, prevents this Commission from deciding whether the detention has or has not, been legal, according to the stipulations and provisions of the Treaty. Besides that, the 20 days have not yet expired which the Regulations for these Mixed Commissions allow for the Sentence, in the event of any deficiency of evidence. It would, above all, be impossible to omit those formalities required by Article 3 of the above-mentioned Regulations, now that the Captor may be momentarily expected;

he having written from Barbadoes, on the 18th ult., that he should be in the Havana within a fortnight.

As for the Spanish Commissary Judge, he, on his particular part, being guided by the Royal Orders on this subject, conceives that the Spanish part of the Commission neither can nor ought to recognize the legality of a capture until the detained vessel shall have been accompanied into port by the Commander of the capturing vessel, according to the Treaty and Instructions, which are in conformity with the Royal Orders of 27th April, 1828, and 13th May, 1829, Copies of which are herewith enclosed.

On these several grounds, the Commissary Judges trust, that your Excellency will feel the validity of those reasons which prevent the Mixed Commission from proceeding forthwith to condemn the "*Rosa*;" and, at the same time, that you will rest assured of our readiness to pronounce the Sentence as soon as the actual difficulties shall be overcome.

God preserve your Excellency many years,
 His Excellency the Captain-General, (Signed) EL CONDE DE FERNANDINA.
 &c. &c. &c. W. S. MACLEAY.

Seventh Enclosure in No. 69.

(Translation.)

Sentence in the Case of the schooner, "Rosa."

IN the always most faithful City of the Havana, on the 15th day of February, 1834, the Most Excellent Señor Don José Maria Herrera y Herrera, Conde de Fernandina, Honorary Grandee of Spain of the first Class, Grand Cross of the Royal Order of Isabel la Católica, and Knight of that of Charles III., Gentleman of the Bed-chamber, *con ejercicio*, Supernumerary Colonel of the Havana Regiment of Cavalry, and Spanish Commissary Judge in the Mixed Commission, and William Sharp Macleay, Esq., the British Commissary Judge, having met together, and having taken into their consideration the proceedings consequent upon the detention which the English corvette-of-war, "*Despatch*," commanded by Don George Daniell, made on the 25th December, 1833, in latitude 3° 49' North, and longitude 39° 32' West, of the Spanish merchant-schooner, "*Rosa*," D. José de Villadarga, Master, armed with 2 4-pounders; and having on board 292 negroes alive at the time of detention, of whom 2 have since died; and it being completely proved, as well by the Declarations of the aforesaid Spanish Captain and other witnesses examined as by the Papers found on board the Spanish schooner at the time of capture, that she sailed from the Port of Santiago de Cuba on the 2d of May last, for the Island of Principe, with Papers, and a cargo which she took on board at the said port, and made sail direct for Ayudah, on the Coast of Africa, where she took on board 293 negroes, of both sexes, who were reduced at the time of detention to 292, of whom 2 died afterwards, previous to arrival in this port, so that 290 now remain alive. Whereupon the Commissioners resolved, that they do declare, and ought to declare, with all due regard to the merits of the Case, according to the brief and summary mode of proceeding which has been adopted in all similar Cases, on the truth being made known, that the capture of the aforesaid schooner, "*Rosa*," is good and legal, as well as that of the 290 negroes now alive; and that the said vessel, with all her tackle and apparel, and every thing which may appear in her Inventory, are subject to confiscation, all except the aforesaid 290 negroes now alive, who are hereby declared to be free from all slavery and captivity. In consequence of which decision, the Commissioners order the condemned vessel, and all belonging to her, to be valued by the principal Masters of the Royal Dock-yard, they being previously sworn to execute the office faithfully; and also, that she be brought to public sale before the Public Scrivener, Don Manuel Fornari, who is hereby commissioned for the purpose, so that being sold, her proceeds may be applied to the benefit of the 2 Governments; the said vessel being, for the present, placed in deposit, under the charge of D. Jayme Andreu, who shall likewise swear to execute his office faithfully, and who shall receive her from the Captor, according to the formal Inventory. And the Commissioners further order that, without loss of time, the customary Certificates of emancipation be delivered, by the hands of their Secretary, to the above-mentioned 290 negroes now remaining alive; an official Letter, with a certified Copy of this Sentence, being forwarded to His Excellency the Governor and Captain-General, in order that he may take the proper measures to give it effect, and because the crew of the "*Rosa*" remain in prison at His Excellency's disposal. And by this their Sentence, definitively judging, thus have the Commissioners provided, ordered, and signed, in the presence of their Secretary, who certifies.

(Signed) EL CONDE DE FERNANDINA.
 W. S. MACLEAY.

(Signed) JUAN FRANCISCO CASCALES,
Secretary.

Eighth Enclosure in No. 69.

Declaration of the Captor in the Case of the Spanish schooner, "Rosa."

I, GEORGE DANIELL, Commander of His Majesty's sloop, "*Despatch*," hereby declare, that on this 25th day of December, 1833, being in or about latitude 3° 49' North, and longitude 39° 32' West, I detained the schooner named the "*Rosa*," sailing under Spanish colours, armed with 2 guns, 4-pounders, commanded by D. José Villadarga, who declared her to bound from Ayudah to St. Jago de Cuba, with a crew consisting of 14 men and 7 boys, and a passenger, whose names, as declared by them respectively, are inserted in a List at the foot hereof, and having on board 292 slaves, said to have been taken on board at Ayudah, on the 19th November, 1833, and are enumerated as follows:—

	Healthy.	Sickly.
Men.....	75	0
Women	40	0
Boys	101	0
Girls	76	0
	292	0

I do further declare that the said schooner, "*Rosa*," appeared to be seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew, on their destined voyage to St. Jago de Cuba.

Given under my hand, on board His Majesty's sloop, "*Despatch*,"
at Sea, this 25th day of December, 1833.

(Signed) GEORGE DANIELL.

Witnessed by G. H. KINNAIRD, *Lieutenant*.
WILLIAM AITCHESON, *Surgeon*.

(Here follow the names of the Crew and Passengers.)

We do hereby certify, that of the 292 negroes that were on board the schooner, "*Rosa*," at the time of her capture, 2 have died in the interval between her detention and the negroes being delivered up to the order of the Captain-General.

Given under our hands, this 1st day of February, 1834.

(Signed) GRAHAM GORE,
Acting-Lieutenant.
JOHN J. LANCASTER,
Assistant-Surgeon.

Ninth Enclosure in No. 69.

Abstract of the evidence in the Case of the Spanish schooner, "Rosa."

1st and 3d February, 1834.—Mr. Graham Gore, Acting-Lieutenant of His Britannic Majesty's sloop, "*Despatch*," and charged with the care of the detained Spanish schooner, "*Rosa*," being sworn, deposed that the Certificate is correct which is signed by this deponent, as to the negroes dead since the day of detention; that 292 negroes were found on board at that time, of whom 2 have since died; that the Commander of the "*Despatch*" collected the Papers of the detained vessel, which were, as this deponent believes, the Royal Passport, the Register, and the Log-book, all in the Spanish language, and which 2 first documents this deponent believes to have emanated from the Spanish Government, both on account of the language in which they were written, and because the "*Rosa*" hoisted Spanish colours; that the Captor gave a Receipt to the Master of the "*Rosa*" for the Papers which he took possession of at the time of detention, which Receipt this deponent saw yesterday in the said Master's hands; that this deponent believes Captain Daniell to be furnished with Instructions to detain Spanish slave-vessels, but has not read them.

Mr. John J. Lancaster, Assistant-Surgeon of His Britannic Majesty's sloop, "*Despatch*," and now on board the detained Spanish schooner, "*Rosa*," being sworn, deposed that the Certificate relating to the death of 2 negroes who formed part of the cargo of the "*Rosa*," and which Certificate is now produced in Court, is duly signed by this deponent; that 292 negroes were found on board at the time of detention, which took place in the middle of the Atlantic, while the "*Rosa*" was on her voyage from the coast of Africa to Santiago de Cuba; that the English Commander took possession of the Papers of the "*Rosa*" at the time of detention, which Papers were, as well as this deponent believes, the Royal Passport, the Register, and the Log-book; that this deponent is persuaded that they were truly Spanish official Papers, from his own knowledge of the language, as well as from the confession of the Master of the "*Rosa*," who said that he had torn and thrown into the sea all his other Papers; that the "*Rosa*" was detained on the 25th day of December last, while sailing under Spanish colours; that after detention, on her voyage to the Havana, she put into no port, but lay-to off Barbadoes, on which Island this deponent landed, in order to procure provisions for the sustenance of the negroes; that this business occupied no more than 2 hours.

José Villadarga, aged 36 years, unmarried, and a Catholic, being sworn, deposed, that he is a native of the town of Verga, in the Principality of Catalonia, and by profession Master and Mate of the Spanish schooner, "*Rosa*;" that he has been brought here by some English Officers and an English crew, belonging to His Britannic Majesty's brig, "*Despatch*," as this deponent understands; that he believes the cause of his having been so conducted here has been the bozal negroes who were found on board the "*Rosa*;" that these negroes had been embarked at Ayudah, on the Coast of Africa, to the number of 293; that the "*Rosa*" sailed from Santiago de Cuba on the 2d of May last year, with Spanish Papers furnished by the Authorities of that port, and with a cargo of wine, aguardiente, and dry goods; that this deponent was Captain, charged with the duties of Mate and Supercargo; that the "*Rosa*" sailed from Ayudah on the 19th of November last, for this Island of Cuba, with the intention of presenting all the negroes on board to the Authorities of the Island of Cuba, because this deponent was obliged, against his will, to take them on board; that the English vessel prevented this deponent from executing his said intention by detaining him; that this detention took place in lat. 3° 49' North, and long. 33° 13' West of the Meridian of Cadiz; that at the time of detention 292 negroes were alive on board; that up to the arrival and entry in this harbour only 2 have since died; that the "*Rosa*," on her voyage here, touched at Barbadoes, where the Prize Master took on board provisions and water; that none of the Spaniards or negroes were allowed to go ashore; that the English Commander took possession of the "*Rosa*'s" Papers at the moment of detention; that these Papers were, as well as this deponent can recollect, the Royal Passport, the

Muster-Roll, and Log-Book, with a Navigation Book, which belonged to this deponent; that this deponent did not give up to the Captor the Act of Sale of the vessel, which he now produces, because he could not lay his hands on it at the time; that this Document is the true Act of Sale, proving this deponent to be the sole Owner of the "*Rosa*;" that the Captor did give this deponent a Paper written in the English language, which, as this deponent did not understand, he has now lost; that the "*Rosa*" sailed from Santiago de Cuba for the Isla de Principe; but happening to touch at Ayudah for water and provisions, it so fell out that at this very time the King of Dahomey was carrying on a war in which he had made a great number of prisoners; that this King offered to take the deponent's cargo, and to pay for it in ivory and palm-oil; that, in fact, the deponent, from the threatening conduct of the said King, was obliged to land his cargo on these terms; that having allowed some days to pass after having so delivered up his cargo, this deponent demanded his ivory and palm-oil, when the King said that he should receive nothing else than his prisoners; that, to avoid a greater misfortune, this deponent saw himself forced, against his will, or rather by absolute force, to take them, having the firm determination at the time to deliver them all up to this Government; that the deponent has no proofs to offer in favour of this statement, because only the negroes of Ayudah know the facts of the Case, the deponent having alone gone on shore at that time, and no other individual of the "*Rosa's*" crew having landed; that the deponent made no protest whatever at the time, and has no other documents to produce.

Antonio Llené, 34 years of age, married, and a Catholic, being sworn, deposed, that he is a native of the city of Mahon, where his wife now resides, and by profession is a mariner; that the deponent was sailing in the Spanish merchant-schooner, "*Rosa*," as Boatswain, when she was detained near the Line by an English sloop-of-war, and brought into the Havana by a prize crew, on account of bozal negroes having been found on board; that these negroes were embarked at Quita or Ayudah, on the African Coast, in number 293; that at the time of detention they had been reduced by death to 292; that the "*Rosa*" cleared out from Santiago de Cuba for the Isla de Principe, but on what day this deponent does not recollect; that nevertheless she made straight, and without touching at the said Island, for the Coast of Africa; that the English Commander took possession of the "*Rosa's*" papers, which were truly Spanish; that the deponent especially remembers the Muster-roll, because he was, previous to sailing, reviewed at Santiago; that the Captain gave to this deponent his place of Boatswain; that the "*Rosa's*" outward cargo consisted of wine, spirits, and dry goods; that immediately on arriving at Ayudah the Captain landed, and did not return on board until he came with the negroes; that the Captain remained on shore at Ayudah 3 months, and landed almost immediately after his arrival, the whole cargo; that the Captain was Owner and Supercargo of the "*Rosa*;" that 2½ months have elapsed since this deponent left the Coast of Africa; that he knows not for what place the "*Rosa*" on return was destined, nor did he ever hear of any particular object of the voyage; that after detention the "*Rosa*" lay-to off Barbadoes for provisions, but only the time requisite to get them on board; that all the "*Rosa's*" cargo was landed in Africa, and that no provisions now remain on board.

Marcos Mongino, 25 years of age, unmarried, and a Catholic, being sworn, deposed, that he is a native of Tarragona, in the Principality of Catalonia, and by profession Steward of the merchant-schooner, "*Rosa*;" that this deponent obtained the situation of Steward from the Captain of the "*Rosa*;" D. José Villadarga; that this deponent embarked on board the "*Rosa*" at Santiago de Cuba, she being then bound for the Isla de Principe; that she sailed, as well as this deponent recollects, on the 1st day of May last; that this deponent knows not what sort of cargo she took on board, because when he went on board, she was already loaded; that the "*Rosa*" did not touch at Principe, but made direct for Ayudah, on the African Coast, where, by order of the Captain, her cargo was landed and negroes taken on board; that they embarked 293 negroes, and sailed from Africa on the 19th November last, being bound, as this deponent understood, for the coast of this Island; that 9 days previous to the deponent's arrival at Barbadoes the "*Rosa*" was detained by the English vessel-of-war, "*Despatch*," on account of having negroes on board, an Officer, and other individuals of the English Nation, being left in charge of the "*Rosa*;" that 292 negroes were on board at the time of detention; that after the detention 2 of the negroes died; that the Captor took possession of the "*Rosa's*" Papers, which Papers had been furnished by the Authorities of Santiago; that this deponent is ignorant of their particular purport; that this deponent heard that the English Captain had given the Master of the "*Rosa*" a Paper, but that he neither saw it nor knew the nature of its contents; that no part of the "*Rosa's*" cargo remains now on board.

14th February, 1834.—Commander George Daniell, of His Britannic Majesty's sloop, "*Despatch*," having shewn his Instructions, and being sworn, deposed, that the signature to the Declaration now produced is his, and that the contents thereof are just and true; that the deponent took possession of 4 papers at the time of the "*Rosa's*" detention, of which are now produced, as being all that are necessary for the prosecution of this affair,—

1. Royal Passport.
2. Muster-roll.
3. Log-book.

Lieutenant G. H. Kinnaird, of His Britannic Majesty's sloop, "*Despatch*," identified his own signature at the foot of the Captor's Declaration, and swore to the truth of its contents.

Mr. William Aitcheson, Surgeon of His Britannic Majesty's sloop, "*Despatch*," identified his own signature, as witness to the Captor's Declaration, and swore to the truth of its contents.

No. 70.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 2.)

MY LORD,

Havana, 24th February, 1834.

Two Spanish brigs have lately arrived from the Coast of Africa, and have been duly reported by us to the Captain-General; viz., the "*Marinero*," Gabriel Perez, Master, on the 29th ultimo; and the "*Volador*," José Maria Pequeno, Master, on the 16th instant.

A Portuguese brig, called the "*Fortuna*," Francisco Pinto Viana, Master, which came in here on the 2d instant, also landed her slaves on the coast.

We regret to have to state, that 4 Spanish slave-vessels have also sailed for Africa; viz., on the 3d instant. the brigs, "*Urraca*," Gumesindo Loureiro, Master, and "*Solitario*," José de Inza, Master; on the 6th, the brig, "*Dio- genes*," Juan Miqueda, Master; and on the 16th, the schooner, "*Pronta*," Pedro Manegat, Master.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 71.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 19.)

MY LORD,

Havana, 3d March, 1834.

ON the evening of the 28th ultimo, being 1 month after notice was sent sailed from this port for the Island of Trinidad, with a Certificate from us as before, the Spanish schooner-of-war, "*Cristina*," D. Juan Bardet, Commander, having on board 97 females, and an equal number of males, the whole forming part of the cargo of the schooner, "*Rosa*." The conditions laid down by His Majesty's Commissioners had been previously strictly complied with; and we have again to express our obligations to Dr. Meikleham for our being able to enclose now to your Lordship a satisfactory Certificate that the whole 194 were sound and healthy.

We beg leave to transmit a List of these 194 negroes, a Copy of our Letter to Sir G. F. Hill, Bart., and Translations of the 3 Notes we have received on this subject from the Captain-General. Your Lordship will perceive that additional provisions for 30 days were put on board the "*Cristina*," in order to obviate any difficulty in the event of the required notice not having arrived in time.

If the Spanish Government should continue to send the emancipated negroes in ships-of-war, it appears to us that there will be less necessity for a British Agent accompanying them, particularly as the original Certificates of Emancipation contain every information with respect to the names and persons of these negroes that can be desired.

In private conversation the Authorities here express great anxiety to be relieved from the condition of the equality of sexes, because every slave-vessel brings a great majority of males; and we believe the Captain-General has even addressed Sir G. Hill on the subject. We have not, however, encouraged him to indulge the slightest hope that His Majesty's Government will consent to any alteration of this condition.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 71.

The Captain-General to His Majesty's Commissioners.

(Translation.)

GENTLEMEN,

Havana, 19th February, 1834.

THE Chief Authorities of Cuba having met together yesterday, agreed, in Junta, that the emancipated negroes forming the cargo of the "*Rosa*" should be forthwith despatched to the Island of Trinidad, in conformity with the conditions already determined upon; for which purpose I have directed the able-bodied of both sexes to be immediately selected and set aside, and I have written to His Excellency the Intendant, requesting him to furnish a transport for them, in the same manner as in the past Cases of the "*Joaquina*" and "*Manuelita*." I have also given due notice in triplicate to His Excellency the Governor of Trinidad; but for further security, the vessel shall take a surplus of provisions sufficient to maintain the negroes 30 days after arrival.

I have now the honour to enclose the List of the 97 males and 97 females, all able-bodied, accompanied by their Certificates of emancipation, in order that these last may be endorsed by the Medical Officer, who will examine the negroes, in the presence of Don Ramon Morales, whom I have this day

authorized for that purpose, in order that they may be embarked as soon as possible, and thus save expense to the "*Real Hacienda*."

The Commissioners of His Britannic Majesty,
 &c. &c. &c.

I avail myself, &c.
 (Signed) MARIANO RICAFORT.

Second Enclosure in No. 71.

The Captain-General to His Majesty's Commissioners.

(Translation.)
 GENTLEMEN,

Havana, 23d February, 1834.

I HAVE the honour to inform you, that the schooner-of-war, "*Maria Cristina*," attached to this Station, and commanded by Don Juan Bardet, and which is intended to convey the negroes to Trinidad, is now ready to sail; and I hope, therefore, that you will hasten the proper examination of the negroes, and transmit me any Despatches you may have for His Excellency the Governor of the Island of Trinidad, as well as a safe conduct for this vessel on her voyage there.

God preserve you, &c.

The Commissioners of His Britannic Majesty,
 &c. &c. &c.

(Signed) MARIANO RICAFORT.

Third Enclosure in No. 71.

The Captain-General to His Majesty's Commissioners.

(Translation.)
 GENTLEMEN,

Havana, 28th February, 1834.

WITH your Note of to-day I received the Despatches and Certificate of safe conduct, and I have delivered them to the Commander of the schooner, "*Cristina*," directing him to deliver them into the hands of His Excellency the Governor of the Island of Trinidad; and I have now the satisfaction of being able to inform you, that this very evening the said schooner will sail for Trinidad, with the 194 emancipated negroes.

(Signed) MARIANO RICAFORT.

The Commissioners of His Britannic Majesty,
 &c. &c. &c.

Fourth Enclosure in No. 71.

His Majesty's Commissioners to the Governor of Trinidad.

SIR,

Havana, 28th February, 1834.

THE Spanish Authorities of Cuba have, as General Ricafort will by the present occasion inform your Excellency, resolved on sending 194 emancipated negroes to Trinidad, in the Spanish schooner-of-war, "*Maria Cristina*," Captain D. Juan Bardet, who takes charge of this Letter and its Enclosures.

The Captain-General informs us, that he addressed your Excellency on the subject of these negroes on the 31st ultimo, and also by His Majesty's sloop, "*Despatch*," which left this Port on the 18th instant. But, in order to make sure of the object of the required previous notice of 1 month being attained, the Authorities here have directed additional provisions for 30 days to be put on board.

The "*Maria Cristina*" carries 97 females and an equal number of males, who have been examined and approved by Dr. Meikleham.

We have the honour to transmit herewith a List of these negroes, and also the 194 original Certificates which correspond to them respectively; and, as in the former Case of the "*Manuelita*," we beg the favour of your Excellency to secure the Certificate which we have given to this schooner to prevent her from being interrupted on her voyage to Trinidad by any of His Majesty's cruisers.

The negroes now sent formed part of the cargo of the Spanish schooner, "*Rosa*," lately detained by His Majesty's sloop, "*Despatch*," and the Spanish vessel-of-war which now conveys them to Trinidad is one of those attached to this Station.

We shall feel obliged by the favour of a Note, expressing your Excellency's opinion on the state in which these negroes arrived at their destination.

We have, &c.

(Signed) W. S. MACLEAY.
 CHARLES MACKENZIE.

His Excellency Sir G. F. Hill, Bart.,
 &c. &c. &c.

No. 72.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 19.)

MY LORD,

Havana, 30th March, 1834.

A PORTUGUESE brig, called the "*Veloz*," Juan Gualberto de Mattos, Master, is the only vessel which we know of as having arrived on this Coast with slaves, during the present month.

We are sorry to say, however, that no less than 6 Spanish slave-vessels have lately sailed for the Coast of Africa; viz., the brig, "*Felis*," D. Guillermo Pons, Master, on the 23d ultimo; and 5 schooners, namely, "*No. 2*," alias, "*la Paz*," D. N. Lourciro, Master, on the 4th instant; the "*Conchita*," Victoriano Laguna,

Master, on the 6th ; the "*Belencita*," Santiago Alonzo, Master, on the 17th ; the "*Julita*," Gabriel Perez, Master, and "*Mosca*," Juan Rodriguez, Master, on the 24th instant.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 73.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 19.)

MY LORD,

Havana, 31st March, 1834.

WE have the honour to inform your Lordship, that it has been strongly stated to us that an Englishman named "Jousiffe," whose name appears in the Parliamentary Returns as having been denounced from Sierra Leone, both by the Governor and the Commissioners, as a notorious slave-dealer, is now established at Matanzas, where he keeps a coffee-house, and in the neighbourhood of which he has a coffee-estate, the negroes on which were brought by himself when he last escaped from the Coast of Africa.

Our peculiar position precludes us from obtaining legal evidence upon this subject, and we therefore have abstained from addressing His Majesty's Minister at Madrid, although we are fully aware of the Instructions upon that head conveyed to His Majesty's Commissioners by the late Marquis of Londonderry, dated 28th November, 1820.

We therefore limit ourselves to communicating to your Lordship that which is a matter of public conversation, until we receive further directions as to the course to be pursued.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 74.

His Majesty's Commissioners to Viscount Palmerston.—(Received June 5.)

MY LORD,

Havana, 28th April, 1834.

THE Spanish polacca, "*Rosalía*," José Legrand, Master, and the Spanish brig, "*Abencerrage*," Antonio Esteves, Master, have arrived in this port, after having landed slaves on the Coast, the former on the 2d, and the latter on the 16th, instant.

We regret to add that the number of departures has been only 1 less than in the preceding month, being 4 brigs, viz., the "*Isabella Secunda*," Benito Pereyra, Master, on the 2d instant ; the "*Marinero*," R. Nosedal, Master, on the 18th instant ; the "*Chubasco*," Geronimo Garcia, Master, on the same day ; the "*Clemente*," Mignel Bertinotti, Master, on the 21st instant ; and the schooner, "*Bella Ines*," Francisco de los Reyes, Master, on the 23d instant.

We have, &c.

(Signed)

W. S. MACLEAY.

CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 75.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, July 8, 1834.

I HEREWITH transmit to you, for your information, 5 Copies of Papers

marked A and B, relating to the Slave Trade, which have this day been presented by His Majesty's command to both Houses of Parliament.

I am, &c.

(Signed) PALMERSTON.

His Majesty's Commissioners,
&c. &c. &c.

No. 76.

His Majesty's Commissioners to Viscount Palmerston.—(Received July 8.)

MY LORD,

Havana, 3d May, 1834.

WE have the honour to acknowledge the receipt of your Lordship's Despatch, dated 15th January, 1834*, transmitting, for our information, the Copy of a Despatch from Mr. Secretary Stanley to His Excellency, Sir G. F. Hill, Bart., upon the subject of the transfer of emancipated negroes from the Havana to Trinidad.

We have the honour now to enclose to your Lordship a Copy of the Note which we, in consequence, yesterday addressed to His Excellency the Captain General, on this subject.

We have, &c.

(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

* See No. 54.

Enclosure in No. 76.

His Majesty's Commissioners to the Captain-General.

Havana, 2d May, 1834.

THE Undersigned, Commissioners of His Britannic Majesty, referring to the Correspondence which they at different times have had the honour of holding with the Chief Local Authorities of the Havana, on the subject of the removal of emancipated negroes from this Island to Trinidad, beg to inform His Excellency the Captain-General of Cuba, that they have received Despatches from His Majesty's Principal Secretary of State for Foreign Affairs, and from His Excellency the Governor of Trinidad, from which it appears that His Majesty's Government is disposed to sanction the arrangement on this subject to which His Majesty's Commissioners have come with the Chief Authorities of Cuba. The Undersigned have great pleasure in stating, moreover, that His Majesty's Principal Secretary of State for the Colonies has agreed that no notice to the Governor of Trinidad of the intention to send emancipated negroes shall in future be necessary, provided the vessel which conveys them to Trinidad shall retain them on board until accommodation can be provided for them on shore, which the Governor of Trinidad engages shall be as speedily effected as possible, and always within the stipulated period of 30 days.

Although His Majesty's Principal Secretary for the Colonies insists most strictly on the exact fulfilment of that condition, which stipulates for the number of females imported into Trinidad being at least equal to that of the males, nevertheless he consents, in the event of absolute necessity, to allow a shipment of negroes from the Havana, of which the majority shall be males, to be landed at Trinidad, provided the deficiency shall be made up in the next following shipment, and a Letter of assurance to that effect shall have been forwarded to the Governor of Trinidad by the Authorities of Cuba.

These preliminary regulations having been duly observed, His Excellency the Governor of Trinidad states that he is ready, on the following conditions, to receive immediately as many fresh-captured Africans as His Excellency the Captain-General of Cuba may think proper to send to Trinidad, and also 1000 Africans of those formerly emancipated by the Mixed Commission, provided they be under 30 years of age, and that the males have not been more than 2 years captured. The conditions are: 1st, that they have been inspected and reported healthy, previous to embarkation; 2dly, that they have been furnished with Lists stating their names and descriptions, also with their respective Certificates of emancipation; 3dly, that they have been properly victualled, not only for the voyage, but for 30 days after arrival at Trinidad, and have been supplied with 2 suits of clothes, a cap, a blanket, and a wooden spoon.

These terms, under which the Governor of Trinidad offers to receive immediately all fresh-captured negroes, and also 1000 of those formerly captured, the Undersigned have the satisfaction to perceive are the same precisely as those under which, with the consent of His Majesty's Commissioners, His Excellency the Captain-General of Cuba despatched the "*Manuelita*" to Trinidad.

The Undersigned have the honour, &c.

(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

His Excellency the Captain-General,
&c. &c. &c.

No. 77.

His Majesty's Commissioner to Viscount Palmerston.—(Received July 8.)

MY LORD,

Havana, 14th May, 1834.

I HAVE the honour to enclose the Copy of a Letter, dated the 31st March last, which His Majesty's Commissioners have received from the Governor of Trinidad, and in which His Excellency notifies the arrival in that Colony of the "*Cristina*" with 193 negroes, who had formed part of the cargo of the condemned slave-schooner, "*Rosa*."

I have also the honour to enclose the Copy of a Note which His Majesty's Commissioners addressed in consequence to the Captain-General, and a Translation of His Excellency's Answer.

By this last, your Lordship will perceive that the Local Authorities endeavour to account for the bad state in which Sir George Hill describes these negroes to have arrived in Trinidad by the circumstance of their having been much debilitated by bad treatment during their previous voyage from Africa. Dr. Meikleham's Certificate, however, that they were healthy and sound when put on board the "*Cristina*," sufficiently disproves the accuracy of this mode of exculpating the Spanish Agents. The truth is, that the health of these unfortunate Africans depends too much on the degree of humanity and honesty which the Captain in charge of them may happen to possess; so much, indeed, as to convince me, more than ever, of the advantage of His Majesty's Government having some check upon his conduct during the voyage, such, for instance, as the presence of a British Agent. I ought to state, however, that I think this representation of the Governor of Trinidad will be productive of the best effects, so far as the principal Authorities of the Havana are concerned.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 77.

The Lieutenant-Governor of Trinidad to His Majesty's Commissioners.

GENTLEMEN,

Trinidad, 31st March, 1834.

I HAVE the honour to acknowledge the receipt of your Letter of the 28th ultimo, which was delivered to me on the 26th instant, by Captain Bardet, in command of the schooner-of-war, "*Cristina*."

Of the 194 Africans transmitted by this vessel from the Havana 1 only (a male) died, soon after the vessel came to anchor; the remainder have been disembarked and located in 30 lots of 6 each, 1 of 5, and 8 very young females separately placed as domestics in respectable families.

I have to observe, that these people are not in the same good bodily condition as those who were brought in the "*Manuelita*," and have had a supply of only 1 suit of clothes and a blanket, whilst those of the "*Manuelita*" had 2 suits, a blanket and a cap, together with a wooden spoon each.

As I do not know what may have been the condition of these people when they were put on board the "*Cristina*," I shall not pronounce that any blame attaches to Captain Bardet: but the people do not appear to have been well fed, for they are much emaciated.

The Captain has delivered to me the Certificate which you granted for the purpose of ensuring an uninterrupted passage to this vessel, and I have also received the 194 Manumission Papers.

The Africans have been landed—the "*Cristina*" may sail for the Havana whenever Captain Bardet thinks proper to depart.

The "*Manuelita*" will no doubt have arrived ere this at her destination; nevertheless, I beg to enclose a Duplicate of the Letter which I addressed to you by her.

I have the honour to be, &c.

(Signed)

G. F. HILL.

The British Members of the Mixed Commission at the Havana.

Second Enclosure in No. 77.

His Majesty's Commissioners to the Captain-General.

Havana, 28th April, 1834.

THE Undersigned, Commissioners of His Britannic Majesty, have the honour to acquaint His Excellency the Captain-General, that they have received a Despatch from His Excellency the Governor of Trinidad, in which is announced the arrival in that Colony of the schooner-of-war, "*Cristina*," from the Havana; and the Undersigned feel it to be their duty to bring under the notice of the Captain-General the enclosed Copy of this Despatch, because it shews that there has been, in the Case of the "*Cristina*," a marked deviation from the mode in which the negroes of the "*Manuelita*"

were fed and clothed, and which humane mode, as approved of by all parties, the Undersigned understood was to be the definitive rule in all future Cases.

The Undersigned have the honour, &c.

(Signed)

W. S. MACLEAY.
CHARLES MACKENZIE.

His Excellency the Captain-General,
&c. &c. &c.

Third Enclosure in No. 77.

(Translation.)

The Captain-General to His Majesty's Commissary Judge.

SIR,

Havana, 13th May, 1834.

His Excellency the Conde de Villanueva, Intendant-General, has written me as follows in his Letter of the 7th instant: "Most Excellent Sir,—I have to acknowledge the receipt of a Copy of the Note of the British Commissioners, which your Excellency has been pleased to enclose in your Letter of the 2d instant, and also of the Copy, which accompanies it, of a statement of the Governor of Trinidad, relative to the cargo of emancipated negroes lately carried there by the schooner-of-war, 'Cristina.' The bad state in which these Africans arrived could not have been entirely produced by their voyage in this vessel. Having been badly treated on their previous passage from Africa, which voyage was moreover tedious, they had arrived here already worn out, and in a situation which it was impossible to improve, even by means of the different treatment which they must without doubt have experienced during their voyage to Trinidad. It may be proper for me to assure your Excellency, that although there are no funds set aside to meet the expense of these sudden expeditions, the negroes in question were nevertheless provided not only with what was necessary for their subsistence during the voyage, but for 30 days after arrival, in precisely the same way as the preceding expeditions, and also with all other requisites, such as were proper considering the season in which they were embarked. For the future, however, having due regard to the remarks contained in both the above-mentioned documents, we shall proceed in the proper mode."

I now transcribe this Letter for your information, in consequence of what has been stated in the communication of His Excellency the Governor of Trinidad, a Copy of which was enclosed in your Note of the 28th ultimo on this subject.

God preserve you many years.

(Signed)

MARIANO RICAFORT.

His Britannic Majesty's Commissary Judge.

No. 78.

His Majesty's Commissioner to Viscount Palmerston—(Received July 8.)

MY LORD,

Havana, 15th May, 1834.

WITH reference to the Despatch of His Majesty's Commissioners, dated the 3d instant, I beg herewith to enclose a Translation of the Reply which the Captain-General has returned to the Note which was addressed to His Excellency on the 2d instant.

By this Reply it appears that the Chief Authorities of this Island agree to the terms proposed by Mr. Secretary Stanley and Sir George Hill, as regulating the future introduction of emancipated negroes into Trinidad.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

Enclosure in No. 78.

(Translation.)

The Captain-General to His Majesty's Commissary Judge.

SIR,

Havana, 13th May, 1834.

His Excellency the Conde de Villanueva, Intendant-General, has written me as follows in his Letter of the 7th instant: "Most Excellent Sir,—The particular conditions to which the British Commissioners refer, with respect to the emancipated Africans in future to be removed to the Island of Trinidad, and which your Excellency has been pleased to enclose in your Note of yesterday, are entirely in conformity with what was discussed and agreed upon previously by the Junta of Chief Authorities. The only difference relates to 1000 of the formerly emancipated negroes, who may be sent to Trinidad under certain conditions prescribed by His Excellency the Governor of that Island, for which end your Excellency may, if this proposal be acceptable, order the anterior Lists to be furnished, so that we may meet together to investigate them, and determine on what is most advisable to be done."

I now transcribe this for your information, in answer to your Note of the 2d instant on this subject, merely adding, that on the proposal mentioned above I beg leave for the present to reserve my decision.

God preserve you many years.

(Signed)

MARIANO RICAFORT.

His Britannic Majesty's Commissary Judge.

No. 79.

His Majesty's Commissioner to Viscount Palmerston.—(Received July 8.)

MY LORD,

Havana, 24th May, 1834.

ON the 1st instant the Spanish schooner, "*Mercedita*," Juan Casas, Master, came into this Port from the Coast of Africa, having previously landed her slaves, and she was instantly reported to the Captain-General.

No less than 5 slave-vessels have sailed for Africa since the beginning of the month; the brig, "*Paulina*," Depares, Master, on the 4th instant; 4 schooners, viz., the "*Sutil*," Juan Tremuel, Master, on the 11th; and, on the same day, "*No. 1*," alias "*Rosalía*," N. Vaher, Master: the "*Deseada*," Narciso Esteva, Master, on the 19th; and the "*Mariposa*," Blas Garcia Vior, Master, on the 23d instant.

I am, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 80.

His Majesty's Commissioner to Viscount Palmerston.—(Received July 8.)

MY LORD,

Havana, 2d June, 1834.

THE Spanish ship-of-the-line, "*Soberano*," arrived here on the 1st instant, from Cadiz, with Lieutenant-General Don Miguel Tacón on board, this Officer being named by Her Catholic Majesty to be the successor of General Ricafort, as Captain-General of this Island.

I have the honour to enclose the Translation of a Note I have this moment received, in which His Excellency acquaints me that he has assumed the reins of Government.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 80.

(Translation.)

The Captain-General to His Majesty's Commissary Judge.

SIR,

Havana, 1st June, 1834.

I HAVE just taken possession of the Civil and Military Command of this Island, Her Majesty the Queen Regent having been pleased to confer the same upon me in the name of our Queen Donna Isabel the Second; and I beg to acquaint you with this, praying God, &c.

I am, &c.

(Signed)

MIGUEL TACÓN.

His Britannic Majesty's Commissary Judge,

&c.

&c.

&c.

No. 81.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, July 24, 1834.

I HAVE received your several Despatches, up to your Despatch of the 2d of June, 1834.

I transmit to you, for your information and guidance, the accompanying Copies of a Correspondence which has passed between the Colonial Department and this Office, on the subject of the removal of emancipated negroes from the Island of Cuba to that of Trinidad.

I am, &c.

(Signed)

PALMERSTON.

His Majesty's Commissioners,

&c.

&c.

&c.

First Enclosure in No. 81.

Mr. Lefevre to Sir George Shee.

Sir,

Colonial Office, 7th January, 1834.

WITH reference to your Letter of the 23d September last, and the former Correspondence upon the subject of the transference of emancipated negroes from the Havana to Trinidad, I am directed by Mr. Secretary Stanley to transmit to you the enclosed Copy of a Despatch which he addressed to the Lieutenant-Governor of that Island on the 18th of December last.

I am, &c.

Sir George Shee, Bart.
 &c. &c. &c.

(Signed)

JOHN LEFEVRE.

The Secretary of State to the Lieutenant-Governor of Trinidad.

Sir,

Colonial Office, 18th December, 1833.

IN your Despatch of the 1st July last you announced the arrival of 189 Africans, who had been captured in the "*Negrila*" by His Majesty's schooner, "*Nimble*," and had been condemned at the Havana; and you enclosed a Letter from the Commissioners at the Havana to yourself, explaining the circumstances which led to their being sent to Trinidad.

I had likewise received, through Viscount Palmerston, a Copy of your Answer to the before-mentioned Letter of the Commissioners, and also Copies of the previous Correspondence between the Commissioners and the Authorities of the Havana, which led to the adoption of this measure.

Although you had not been made acquainted, through this Department, of the views of His Majesty's Government on the subject of the admission of captured negroes into the Colony of Trinidad, yet when I consider the extreme emergency of the case, and the humane as well as prudential motives which induced the Havana Authorities to decide upon the sending away these captured negroes from their shores, and that the Commissioners transmitted to you a Copy of Lord Howick's Letter, containing a proposal to allow captured negroes to be sent to Trinidad upon certain conditions, which in the present instance were observed as far as circumstances would permit, I cannot but entirely approve of your having consented to receive these unfortunate negroes; and it affords me great satisfaction to find that immediately upon their arrival their labour was in demand, and that you had no difficulty in distributing them, as free labourers, amongst different employers.

The course to be pursued in future with reference to negroes who may be captured in slave-ships and condemned at the Havana, and whom the Authorities at that place may wish to be transferred to Trinidad, demands considerable attention, with reference to the great change now in operation under the Slavery Abolition Act, and with reference to the expense which must necessarily be incurred in providing such negroes with food and other necessities of life, upon their first arrival in the Island.

It appears to me, that considering the circumstances under which these negroes are to be introduced into the Dominions of His Majesty, if their future condition should, even outwardly, resemble slavery, it would afford plausible grounds of complaint against the British Government. I think, therefore, that the negroes who may, under the proposed arrangement, be sent to Trinidad, should not be allotted to their employers for a fixed period of years, notwithstanding such an arrangement might not be without considerable benefit to themselves.

They should be hired out to employers for a period not exceeding 6 months certain; after which the contract of service should be determinable by either party, upon giving the other 6 months' notice.

The wages should of course be determined by the free competition of the employers at the time of the hiring.

With regard to the expenses to which I have adverted, I cannot hold out to you any hope that they can in future be defrayed from any other source than the colonial revenue of Trinidad; unless an unobjectionable mode can be devised of charging a part of them upon the wages of the negroes in respect of whom they have been incurred.

If you find, from your own knowledge of West Indian affairs, and from the opinions of the most experienced residents in Trinidad, that an importation of free labourers upon these terms would be acceptable to the Colony, and that the benefits to be derived from such a supply of labour would more than counterbalance the expenses which will be incurred, and the inconvenience of the introduction of a large number of savages into the Island, I shall be disposed to sanction (if the financial state of the Colony will permit,) the arrangement for the reception of captured negroes into Trinidad, which was proposed by the Commissioners at the Havana, in their Letter of the 16th January last, but nevertheless with the following modifications; viz., that no notice to the Governor of Trinidad of the intention to send there the negroes shall be necessary, but that the vessel which brings them to Trinidad shall retain them for a few days until accommodation can be provided for them; that the number of females shall be at least equal to the number of males; and that in case it is found convenient at any time to make a shipment of negroes from the Havana, of which the majority shall be males, the deficiency shall be made up in the next shipment.

I have only to add, that I think the proposition of Commodore Farquhar to land captured Africans at Trinidad, to await there the issue of the proceedings before the Mixed Commission at the Havana, is a measure of very doubtful expediency, and, under the existing Treaties and Acts of Parliament on the subject of the abolition of the Slave Trade, would lead to considerable difficulties, and ought not to be acceded to.

I have, &c.

(Signed)

E. G. STANLEY.

The Right Hon. Sir G. F. Hill, Bart.
 &c. &c. &c.

Second Enclosure in No. 81.

The Lieutenant-Governor of Trinidad to the Secretary of State.

Sir,

Colonial Office, 16th April, 1834.

I am directed by Mr. Secretary Stanley to acknowledge the receipt of your Letters of the 23d September, 1833, and the 18th February, and 13th and 31st March, 1834, and to enclose to you a Copy of one of the 12th February last, which he has received from the Governor of Trinidad, respecting the removal of captured Africans from Cuba to that Island; and, in submitting this Despatch to Viscount Palmerston, I am to request that you will acquaint his Lordship, that the measures concerted between the Spanish Authorities and the British Commissioners at Cuba, as well as the spirit in which the requisitions of the British Government have been complied with, appear to Mr. Stanley to be very satisfactory. Mr. Stanley is of opinion, that the conditions of sending a British Agent and employing a medical Inspector are perfectly proper, and there would appear to be little doubt, from the extreme anxiety manifested (especially in the Enclosure of Lieut.-Governor Sir G. Hill's Despatch) by the Spanish Authorities, to relieve the Island of Cuba from these Africans, that they will cheerfully undertake the additional expense. Mr. Stanley considers, however, that it may be well to suspend the issue of further Instructions until the Despatch which he is led to expect from Sir George Hill shall have given His Majesty's Government more information, both as to the disposal of the cargo last reported to have been sent to Trinidad, and as to the condition of those who were sent by the "*Negrila*."

Sir George Shee, Bart.
&c. &c. &c.

I have, &c.
(Signed) JOHN LEFEVRE.

Sub-Enclosure A.

The Lieutenant-Governor of Trinidad to the Secretary of State.

Sir,

Trinidad, 12th February, 1834.

On Sunday, the 9th instant, I had the honour to receive your Despatch of the 18th December, containing Instructions for my guidance, in the event of the arrival here of further cargoes of prize negroes.

On the same day I received a Letter from the Governor of the Havana, by the Spanish schooner, "*Manuelita*," of which I have the honour to transmit to you a Translation.

The 212 negroes were put on board of this vessel at the Havana, on the 16th January last, of whom 5 died on the passage, and 1 since the arrival of the "*Manuelita*:" the remainder are apparently in good health.

Applications for their services have already commenced to pour in; the vessel has been placed in quarantine for 1 week; at the expiration of that time I will dispose of them pursuant to Instructions, and report every particular by next packet.

The Right Hon. E. G. Stanley, M.P.,
&c. &c. &c.

I have, &c.
(Signed) G. F. HILL.

Sub-Enclosure B.

The Captain-General of Cuba to the Lieutenant-Governor of Trinidad.

(Translation.)

Sir,

Havana, 16th January, 1834.

On the 16th December last I had the honour to inform your Excellency, in order that it might serve as a preparatory notice, that 2 Spanish schooners having arrived at this Port with cargoes of negroes, captured by His Britannic Majesty's vessel, "*Nimble*," it had been decided at a Meeting of the Authorities, that, observing the established conditions, they should be sent to the Island under your command, equalized in sexes.

Not having direct communication from this place to that Island, I addressed the Letter to your Excellency through the Governor of the Province of Cuba, and as it may not have reached your hands I transmit a Duplicate.

In truth, the previous notice of 30 days presents an insuperable inconvenience and great expense, on which account it would be highly desirable that your Excellency would be pleased to approve the plan adopted by the Junta, as superseding that impracticable condition, viz., that the vessels which successively take the negroes shall be provisioned not only for the passage there and back, but sufficiently so to find themselves 30 days in any port that your Excellency may send them to in deposit, awaiting their final disposal; but if not inconvenient, and the people were sooner landed, the Royal Treasury would be benefitted thereby.

I have the satisfaction to have it in my power to inform your Excellency, officially, that since the 8th December, after a long period of observation, the Superior Junta of Health declared the Island of Cuba free of cholera morbus, nor has a single case of that disease occurred since, the most perfect health existing.

The Captain of the schooner, "*Manuelita*," Don Salvador Castello, has on board his vessel the 212 negroes who have been paired (in sexes) out of both cargoes; they are clothed and abundantly provisioned; they have been seen by Dr. David Scott Meikleham, appointed by the Commissioners of His Britannic Majesty resident in this city.

Your Excellency will receive, with this Communication, the free Papers which for this purpose I have had prepared, and the Captain will deliver the Certificate, under the signature and seal of the said Commissioners, for the security of his passage.

If your Excellency considers that advantage would result to the free establishments of your Island, by (our) sending a great number of emancipated people, who could employ themselves as useful hands in agriculture, the utility would be reciprocal. Faithful observer of the stipulated conditions, I have

not ventured to take upon myself to send more than the small number who could be equalized in sexes. This will always be the case on account of the few females captured from the smugglers. But if your Excellency would receive the whole number which may arrive, it would save to Government the large sums which are spent in their *deposit*, even if the sickly and useless hands remained here, and that the healthy only were sent clothed, fed, and inspected by the Commissioners of His Britannic Majesty, and with their free Papers.

If, under the same conditions, your Excellency would receive all the emancipated people who are in this Island, taking the proportions of sexes as they may be, selecting the useful and the healthy, a service would result to both Islands. This one would diminish its overgrown number of freed people, and that one would augment its agricultural establishments without prejudice to its safety, because they would have been accustomed to labours and educated in subordination.

There may be some, who from the connection with others, do not suit here, but may be valuable when transported to that Island. Even if we should only be allowed to send those emancipated people who have resided here 6 years, we should be desirous of doing so, which, in my opinion, would be of reciprocal utility.

I send your Excellency a Copy of the List of names of the negroes on board the schooner, "*Manuelita*."

I beg your Excellency to receive, &c.

His Excellency, Sir G. F. Hill, Bart.
&c. &c. &c.

(Signed) MARIANO RICAFORT.

Third Enclosure in No. 81.

Mr. Lefevre to Sir G. Shee.

Sir, Colonial Office, 21st May, 1834.

WITH reference to my Letter, dated the 16th ultimo, I am directed by Mr. Secretary Stanley, to transmit to you, for the information of Viscount Palmerston, Copy of a Despatch from Sir G. Hill, dated the 9th of March, reporting the arrival in Trinidad of 207 prize Africans from the Havana, with the Answer which Mr. Stanley returned to the Lieutenant-Governor upon the subject by the last packet; and I am to request, that you will move Viscount Palmerston to favour Mr. Stanley with his opinion upon the particular questions raised towards the conclusion of Sir George Hill's Despatch.

I am also to add the Copy of a Despatch, which has been received within the last few days, from the Lieutenant-Governor, reporting the further arrival in the Colony of 194 prize Africans, condemned by the Mixed Commission at the Havana.

Sir G. Shee, Bart. I have, &c.
&c. &c. &c. (Signed) JOHN LEFEVRE.

Sub-Enclosure A.

The Lieutenant-Governor of Trinidad to the Secretary of State.

Sir, Trinidad, 9th March, 1834.

ON the 12th ultimo, I reported the arrival of 207 prize Africans from the Havana, with a Translation of the Letter I received from the Governor of Cuba.

Immediate applications were made, to the amount of 938, by the inhabitants for their services.

As the best mode of disposing of them, I had them divided into 20 lots of 10 each (5 males and 5 females), keeping those together attached by relationship or friendship.

There were 7 little girls, under 10 years of age, too young to go to estates, these I placed in respectable families; the others were distributed in 20 lots, upon 20 different estates, in the capacity of *free labourers*, pursuant to your Instructions, for 6 months, and were delivered to the parties direct from the Spanish schooner, by the Captain, Don Salvador Castello, upon orders from me, by which all expense has been saved, either to the British or Colonial Treasury. I enclose a Copy of those Orders, containing the names of the Africans, and the Receipt for them of the party to whom they were respectively delivered. I enclose also a printed Copy of the document, signed by the persons who obtained these Africans, containing the conditions to which they thereby bound themselves to comply, a Copy of which document I have sent to the Commandants of the quarters in which these Africans are located, together with a Letter of Instruction from myself, of which I also enclose a printed Copy.

Previous to the expiration of these 6 months, experience may suggest new terms under which these and other Africans may be employed; and I shall not fail to take frequent opportunities of seeing these Africans myself, and to instruct the Protector of Slaves, in his journeys into the country, to do the same.

When the proposal of the Governor of Cuba to send here a large number of freed Africans from his Government became generally known, I received a Memorial, numerously subscribed, proposing to take the number of Africans annexed to each name; amounting to 5,000, on the same terms as these last have been distributed; stating, that if the British Government would instruct me to apprentice them until 1840; 10,000 would be taken. I did not, however, feel justified in authorising more than 1000 of those now located in Cuba to be sent here at present, and those not to have been in Cuba more than 2 years, and under the conditions stipulated in my Letter of the 27th ultimo, to the Governor of Cuba, and to Messrs. Macleay and Mackenzie, of which I enclose Copies. But, under the same conditions, I have proposed to receive *all* fresh-captured Africans, whilst these conditions are observed, particularly those which require the equalization of the sexes, Certificates of a healthy state of body, and with a full supply of clothing and provisions for 30 days after arrival here, we can safely and with great advantage receive and locate *all* the fresh-captured Africans the Havana Authorities can send us; but I would not, upon my own judgment, without your Instructions,

encourage the introduction into this Colony from Cuba, of Africans, who had resided there 5 or 6 years;—their best years of labour are probably gone by; their separation from connections they must have formed; the doubtfulness of their characters, suggest strong objections, in my mind, to receive them.

I now particularly request your attention to a difficulty which presses itself upon me.

By the Act of the 5th of Geo. IV., cap. 113, and the terms of the Treaty with the Spanish Government therein set out and confirmed, all slaves found on board ships condemned for making an unlawful voyage shall receive from the Mixed Commission a Certificate of emancipation, and shall be delivered over to the Government on whose Territory the Commission is established, to be employed as servants or free labourers, each Government guaranteeing the liberty of those individuals consigned to it.

Now these Africans have become the subjects of Spain. They are sent here, however, by the Governor of Cuba, and sanctioned by Messrs. Macleay and Mackenzie, the British Members of the Commission, with (as they state) the permission granted to that effect by His Majesty's Government.

Query.—Are they not aliens, and do they not still continue to be Spanish subjects?

Query.—What control (otherwise than as aliens) have I over them?

I have hired them out as free labourers for 6 months.

Query.—If they should become refractory, or disobedient, or insubordinate as labourers, can they be coerced? I apprehend not. The only legal hold I have over them is by considering them as aliens.

Query.—Had the Spanish Government, under the Treaty, a right to export them?

Although I do not anticipate any emergency that I would not venture to provide against, upon my own responsibility, (relying upon your liberal but firm character,) yet I submit, whether the control and regulation of these persons, as free labourers, ought not to be the object of an Order in Council or a Local Ordinance.

I could prepare an Ordinance to subject these persons to wholesome control, that should not even cast a shade upon the spirit of humanity and kindness with which this class of our fellow creatures ought to be treated.

The Right Hon. E. G. Stanley, M.P.
&c. &c. &c.

I have, &c.
 (Signed) G. F. HILL.

Sub-Enclosure B.

Receipt of the Persons to whom the Negroes are distributed.

Trinidad.

WE, the Undersigned, do severally acknowledge to have received from His Excellency the Right Honourable Sir George Fitzgerald Hill, Bart., Governor and Commander-in-chief in and over the said Island of Trinidad and its Dependencies, Vice-Admiral thereof, the several male and female African negroes, lately arrived here from the Havana, and particularly named and described in the Lists or Lots hereunto annexed and respectively signed by us, upon the following conditions, that is to say:—

To be employed as agricultural free labourers on the estates in the said Lists or Lots respectively named and mentioned, for the period of 6 months certain from the date hereof, and not to be removed or transferred therefrom to any other property or estate during the said period.

And we hereby respectively engage and contract with His said Excellency the Governor, to lodge, medicate, and give them an adequate supply of food, clothing, and household furniture.

And we further respectively undertake and promise, within 1 month from the date hereof, to have them vaccinated; and we will, within the said period, respectively make or cause to be made and forwarded to the Office of the Honourable the Colonial Secretary, Affidavits, in writing, that they have been so vaccinated.

And we further respectively promise to report each month to His Excellency the Governor the state of the said several male and female African negroes, by us respectively received, and from time to time any casualty that may occur to them, or any or either of them.

In witness whereof we have severally and respectively set and subscribed our hands, at Port of Spain, this 15th day of February, in the year of our Lord 1834.

(Here follow 21 signatures.)

Sub-Enclosure C.

The Lieutenant-Governor of Trinidad to the Commandants of the Quarters in which the Africans are located.

(Circular.)

SIR,

Government House, 28th February, 1834.

I TRANSMIT to you herewith a Copy of a Receipt which has been given by Mr. _____, for 10 of the Africans distributed on the 15th instant, together, with a Memorandum of their sexes, and their African and baptismal names.

The Receipt specifies the conditions to which the parties are reciprocally bound; and as, on the one hand the Africans are at present, from their ignorance of the languages used in this Island, unable to make known their wants or complaints, I have to request that you will have them under your special observation, and that you will particularly befriend them in case of need. On the other hand, should they leave their present domicile before the expiration of the 6 months, for which they are hired, you will be pleased to apprehend and restore them to their employers, and report the same to me.

I am, &c.
 (Signed) G. F. HILL.

The Commandant of the Quarter of _____.

Sub-Enclosure D.

The Governor of Trinidad to the Captain-General of Cuba.

MOST EXCELLENT SIR,

Government House, Trinidad, 27th February, 1834.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, dated 16th January last, enclosing the Copy of a former Communication, under date the 16th December, 1833, sent by Cuba and Jamaica, the original of which has not as yet been received.

I am happy to inform you that the schooner, "*Manuelita*," arrived in this Colony on the 8th instant, with the African negroes embarked on board of her at Havana, with the exception of 5, who died on the passage. Permit me to express my thanks for the humane and obliging attention evinced by your Excellency, in carrying into effect the conditions agreed on between the Spanish and British Governments for the removal of these Africans to Trinidad. It gives me sincere pleasure to report, from personal inspection and inquiry, that your Excellency's benevolent intentions to provide for the health and comfort of these Africans during their voyage hither have been most assiduously seconded, and successfully carried into effect, by the zealous care of Don Salvador Castello, to whom I am happy to offer this sincere testimonial of my approbation.

The expression of your Excellency's wish to promote the interests of the Colony under my Government, by the introduction of agricultural labourers from the Havana, claims from me the most grateful acknowledgments. Most sincerely do I hope that this measure, which has met with the approbation of our respective Governments, may prove mutually beneficial. On the same day that I was favoured by the arrival of your Excellency's communication, I received further instructions from the Government of His Britannic Majesty, which has enabled me to state, that I shall be ready to receive, at any time, such of those Africans as the Spanish Government may desire to forward, under the following conditions:—

First. That the whole number of those already emancipated shall not, until further communication from me, exceed 1,000, and that the number of the sexes be equal in each vessel hired for their transport, or be equalized by subsequent embarkations.

Secondly. That no emancipated Africans be sent who have been liberated by a Sentence of the Mixed Commission more than 2 years before embarkation.

Third. That the negroes to be removed to this Colony be furnished with a Certificate by a proper medical practitioner, that they are free from all sickness or infirmity disqualifying them from agricultural labour, and that no separation of parents and children, or husbands and wives, should be caused by the removal; and,—

Fourth. That they are properly clothed and amply provisioned for at least 30 days beyond the time required for the voyage hither, and that the vessel in which they are brought is instructed to remain subject to my orders for at least 1 month after her arrival in this port.

I am happy to assure your Excellency, that, although the Instructions which I have received render it imperative that this last condition should be complied with, yet, that I have little doubt but that by arrangements which I have already made, I shall be able to dispose of any Africans which may arrive much within the stipulated time, and that no exertion shall be wanting on my part to lighten the necessary expense which must be incurred by the Spanish Government in carrying this measure into effect. The fulfilment of this last-mentioned condition enables me altogether to dispense with the notice of 30 days, which was under the former arrangements agreed to be given to me previous to the removal of any Africans to this Colony.

The assurances contained in your Excellency's communication, as well as the liberal measures already adopted by the Spanish Authorities for the fulfilment of the stipulated provisions in the removal of the emancipated Africans sent hither by the "*Manuelita*," afford the most satisfactory pledges for the future adherence to the above-mentioned conditions, to which I am sure your Excellency's attention will be specially directed.

I beg your Excellency to accept the assurance, &c.

(Signed) G. F. HILL.

His Excellency, General Ricafort.

Sub-Enclosure E.

The Lieutenant-Governor of Trinidad to His Majesty's Commissioners.

GENTLEMEN,

Trinidad, 27th February, 1834.

I HAVE the honour to acknowledge the receipt of your Letter of the 16th December, and have much satisfaction in stating, that Don Salvador Castello delivered to me in this port, on the 15th of this month, after undergoing 7 days of precautionary quarantine, 206 Africans—102 males and 104 females.

Out of the 212 put on board the "*Manuelita*," at the Havana, 5 died on the passage, and 1 since the arrival of that vessel.

The manner in which these negroes were provided with food and clothing was highly creditable to the Spanish Government; and the humane attentions paid to their comforts by Don Salvador Castello, to make them contented and cheerful, demand my sincere commendation and warmest praise. I am persuaded he is a trustworthy good man. He has duly delivered to me the List of these Africans, including their African and baptismal names, together with the 212 original Certificates of their emancipation. He has also delivered to me the Certificate, signed and sealed by you, to secure to the "*Manuelita*" safe conduct from the Havana to Trinidad; and having landed the Africans, I now hasten to transmit this Communication to you by him.

On the same day that the "*Manuelita*" arrived here, I received a Despatch from His Britannic Majesty's Secretary of State, with additional Instructions for my guidance, in the event of any further transportation of Africans from the Havana to Trinidad being deemed expedient. I have now the honour to state, that I will receive 1,000 Africans, to consist of 500 males and 500 females, under 30 years of age—the males not to have been more than 2 years captured—on the following conditions: that they be inspected and reported healthy previous to embarkation, furnished with Lists, stating their names and description, also with their Certificates of emancipation; that they be victualled

not only for the voyage, but for 30 days after arrival at Trinidad, together with a supply of 2 suits of clothing and a blanket each. I shall not require previous notice of the intention of the Spanish Government to forward here another shipment; and if the sexes cannot be equalized in the first shipment, I will receive the males, if accompanied by a Letter of assurance from the Spanish Government that the deficiency in the number of females shall be made up in the next or some future shipment; for on the good faith of that Government I have perfect reliance.

The "*Manuelita*" has been delayed here a few days beyond the period I intended she should have sailed, in consequence of adverse weather having detained me at the extremity of this Gulf, whither I had gone for the purpose of locating some of these very Africans, and transacting other official duties.

These Africans have been placed in 20 lots, on 20 different estates, under terms subscribed by the Proprietors, as expressed in the enclosed printed Document. I have kept a Record of these lots, and shall have them frequently visited.

Upon the conditions set forth herein, being observed, I will receive, beyond the 1,000 now required, as many fresh-captured Africans as the Mixed Commission at the Havana may think proper to send me; as I have fit locations ready prepared for them, and will have them, if reported in health, landed with very little draft upon the stop of 30 days stipulated for.

W. S. Macleay, and Charles Mackenzie, Esqrs., Havana.

I have, &c.
(Signed) G. F. HILL.

Sub-Enclosure F.

His Majesty's Commissioners to the Lieutenant-Governor of Trinidad.

SIR,

Havana, 16th January, 1834.

THE Captain-General of Cuba will, by the Spanish schooner, "*Manuelita*," D. Salvador Castello, Master, who takes charge of this Letter, inform your Excellency that the Spanish Authorities of the Havana have resolved to despatch the aforesaid vessel, with 212 emancipated negroes, to be delivered into your Excellency's charge, in conformity with the permission granted to that effect by His Majesty's Government.

Previous to giving our sanction to any negroes being sent away from this port, we were very particular, in the first place, to ascertain whether any cholera existed in the territory of the Havana, and we have the satisfaction to state, that we possess the strongest assurance from the Local Government that the whole Island is perfectly free from that disease. Perhaps it may not be amiss to observe, that from the result of our private inquiries we are inclined to place full faith in the above assurances; and we have the honour to enclose to your Excellency a *Diario* of the 11th ultimo, containing the Minutes of the proceedings of the *Superior Junta de Sanidad*, by which clean Bills of Health are directed to be issued.

The next point we insisted upon with the Captain-General was the previous notice to your Excellency of 1 month, as required by His Majesty's Government. This Local Government accordingly addressed your Excellency on the 16th ultimo, by way of Santiago de Cuba and Jamaica, notifying its intention to send off to Trinidad forthwith a certain number of emancipated negroes of the cargoes of the schooners, "*Joaquina*" and "*Manuelita*," the former of which vessels was condemned by this Mixed Commission on the 21st November, and the latter on the 17th ultimo. But not contented with sending this Despatch, the Authorities of Cuba, in order to make sure of the object of the required previous notice being attained, have resolved to victual the crew and passengers of the "*Manuelita*," not only for the voyage, but for 30 days after her arrival in Trinidad, in order that your Excellency may be put to as little inconvenience as possible; and may, if necessary, have the power of keeping them 1 month on board after their arrival.

As in your Despatch to us of the 27th May last, which we have not before had any opportunity of acknowledging, your Excellency has been pleased to require that the number of females sent should always predominate, or at least be equal to that of the males, the "*Manuelita*" will now carry 106 females, and an equal number of males, all able-bodied and sound in health, as has been certified by Dr. David Scott Meikleham, an English Physician established in this city, whose Certificate to that effect we have now the honour to enclose.

In order to prevent the possibility of changing any of them, we have the honour to enclose a List of these 212 negroes, and all the 212 original Certificates of emancipation which correspond to them respectively. In these last Certificates will be found their African and Christian names, the description of their persons, and every other particular which may be necessary for their identification.

For the purpose of securing the Spanish schooner, "*Manuelita*," from being interrupted or detained by any of His Majesty's cruisers during this her voyage to Trinidad, we have given her a Certificate under our hands and seal, which Certificate we have the promise of the Captain-General shall be delivered up to your Excellency, by the Captain of the "*Manuelita*," immediately on her arrival; and we beg of your Excellency to secure the Document, in order to prevent any improper use being made of it.

The "*Manuelita*" was the last schooner captured by His Majesty's schooner, "*Nimble*," having on board at the time of detention 485 negroes. She was sold by the Mixed Commission, and purchased by the Spanish Government for the purpose of taking these negroes to Trinidad.

Although we have the strongest assurances from the Captain-General that the 212 negroes now sent shall meet with every humane attention during this voyage, we shall be anxious, nevertheless, to know your Excellency's opinion of the state in which they may arrive.

His Excellency, Sir G. F. Hill, Bart.

&c. &c. &c.

(Signed)

W. S. MACLEAY.
CHARLES MACKENZIE.

Sub-Enclosure G.

The Captain-General of Cuba to the Lieutenant-Governor of Trinidad.

[See Sub-Enclosure B, in Second Enclosure in No. 81.]

Sub-Enclosure H.

The Secretary of State to the Lieutenant-Governor of Trinidad.

SIR,

Colonial Office, 10th May, 1834.

I HAVE had the honour to receive your Despatch of the 9th March last. I was not altogether prepared for your immediately acting on the conditional sanction conveyed to you in my Despatch of the 18th December, relative to the introduction of condemned Africans from the Havana into the Island of Trinidad. In that Despatch I intimated to you the objection which I felt to the subjecting these Africans to any species of apprenticeship which might even outwardly resemble slavery; and I called your attention to the possible inconvenience which might result to the Colony from the introduction of a number of uncivilized persons.

Although I have no occasion to doubt but that you have duly considered these circumstances, yet I think that the number of Africans which you have at once agreed to receive justifies me in intimating to you, that this experiment should be proceeded with very gradually and with great caution.

I should wish you to observe and report to me from time to time the conduct of these Africans; more especially after the termination of the half-year for which they are originally engaged; as from the private accounts which have reached me on the subject of the cargo of the "*Negruta*," I am disposed to apprehend, that after the expiration of the first 6 months, many of the Africans will leave their employers, and addict themselves to that wandering and unsettled mode of life which will not only put a stop to their own civilization, but will create much inconvenience and some danger to the Colony.

I shall communicate with the Foreign Office on the several points which you have brought under my notice in your Despatch of the 9th of March.

I have, &c.
(Signed) E. G. STANLEY.

The Right Hon. Sir G. F. Hill, Bart., Trinidad,
&c. &c. &c.

Sub-Enclosure I.

The Lieutenant-Governor of Trinidad to the Secretary of State.

SIR,

Trinidad, 7th April, 1834.

I HAVE the honour to report, that the Spanish schooner, "*Cristina*," was despatched to this Colony by the Governor of Cuba, with 97 male and 97 female Africans, prize to His Majesty's ship, "*Despatch*," and condemned by the Mixed Commission at the Havana. They arrived on the 26th ultimo, and were for the most part in good health, but had not the appearance of having been so well fed as the last batch. I therefore determined to distribute them in lots of 6 instead of 10, which has been done, considering that the smaller allotment would be likely to receive more care from the individuals undertaking to provide for them than the larger one.

Thus these Africans were parcelled out into

30 lots of 6 = 180	}	Sent to Estates.
1 lot of 5 = 5		
Young Girls . . . 8	}	Placed with respectable Families in and about town.
Died . . . 1		

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I enclose Copies of the Letters which I received on this occasion from the Governor of Cuba, and from the Commissioners, and of my Answers. I also transmit Copies of the Allotments, with the Receipts of the parties; a printed Copy of the Conditions to which the employers bound themselves; and a Copy of the Instructions transmitted to the Commandants of Quarters, and to the Protector of Slaves.

I am happy to state that the Reports of the parties who received the last Africans are favourable.

The desire of the Proprietors of Estates to procure them continues unabated. On the arrival of these 194 Africans applications were made to me for as many as 1,502.

Only 1 death out of the 206 people landed in February last has occurred.

I have, &c.
(Signed) G. F. HILL.

The Right Hon. E. G. Stanley, M.P.,
&c. &c. &c.

Sub-Enclosure J.

The Captain-General of Cuba to the Lieutenant-Governor of Trinidad.

(Translation.)

MOST EXCELLENT SIR,

Havana, 27th February, 1834.

In the schooner of Her Catholic Majesty, (my august Sovereign,) "*Cristina*," I have the honour to send to your Excellency 194 emancipated negroes from the schooner, "*Rosa*," captured by the corvette of His Britannic Majesty, "*Despatch*," (i. e.) 97 males, and an equal number of females, who will be delivered to the order of your Excellency by Captain Juan Bardet.

On this occasion all the conditions of the agreement have been observed; and under the same difficulty that I had the honour of pointing out to your Excellency respecting the notice beforehand, although I have given it in triplicate, and by different modes of communication, still I have

adopted the other method of provisioning the vessel for 30 days beyond the date of her arrival, in order that your Excellency may have the opportunity of arranging the disembarkation. I cannot, however, do less than recommend, if it is possible, the despatch of the operation, which will diminish the great expenses which are incurred by the Royal Treasury.

The British Commissioners will transmit to your Excellency the 194 Manumission Papers belonging to the negroes. The Captain, Bardet, will deliver into your Excellency's hands, the Certificate of the said Commissioners for the security of his passage.

I cannot do otherwise than avail myself of this opportunity to reiterate to your Excellency, that I shall continue to send to the Island under your Excellency's command the negroes who may be taken and condemned, under the conditions established and agreed upon with the Commissioners.

The Island of Cuba, thanks to the Omnipotent, continues to enjoy the most perfect health.

I renew to your Excellency the assurances of my respect, &c.

(Signed) MARIANO RICAFORT.

His Excellency, Sir G. F. Hill, Bart.
&c. &c. &c.

Sub-Enclosure K.

His Majesty's Commissioners to the Lieutenant-Governor of Trinidad.

[See 4th Enclosure in No. 71.]

Sub-Enclosure L.

The Lieutenant-Governor of Trinidad to the Captain-General of Cuba.

SIR,

Trinidad, 31st March, 1834.

I HAVE the honour to announce to your Excellency that the "*Cristina*" arrived here on the 26th instant, with 97 male and 97 female Africans: 1 of the males died shortly after the arrival of the vessel.

I offer to your Excellency my sincere acknowledgments and best thanks for the useful precaution you have observed in giving me early notice of your intended transmission of these people from Cuba to Trinidad, which I received by your Letters of the 1st and 18th ultimo, which, however, as the vessel was provisioned for 30 days after her arrival, was unnecessary.

The Africans who have thus arrived have not been so well provided with clothing, nor are they in the same good bodily condition, as those sent by the "*Manuelita*." As this may have been the effects of the passage from Africa to the Colonies, and of the more confined space in which these people have been kept, I do not therefore wish to impugn the conduct of Captain Bardet: but the people certainly have not the appearance of having been sufficiently fed.

It affords me the highest satisfaction to learn the continued state of the public health of the Island, under your Excellency's command, and although I have no doubt that the "*Manuelita*" has arrived ere this at the Havana, I beg to enclose a Duplicate of the Letter which I had the honour of addressing to your Excellency by her.

I have, &c.

(Signed) G. F. HILL.

His Excellency, General Ricafort,
&c. &c. &c.

Sub-Enclosure M.

The Lieutenant-Governor of Trinidad to His Majesty's Commissioners.

[See First Enclosure in No. 77.]

Sub-Enclosure N.

Receipt of the Persons to whom the Negroes are distributed.

Trinidad.

WE, the Undersigned, do severally acknowledge to have received from His Excellency the Right Honourable Sir George Fitzgerald Hill, Bart., Governor and Commander-in-chief in and over the said Island of Trinidad and its Dependencies, Vice-Admiral thereof, the several male and female African negroes, lately arrived from the Havana, and particularly named and described in the Lists or Lots hereunto annexed and respectively signed by us, upon the following conditions; that is to say, to be employed as agricultural free labourers, on the estates in the said Lists or Lots respectively named and mentioned, for the period of 6 months certain from the date hereof, and not to be removed or transferred therefrom to any other property or estate during the said period.

And we hereby respectively engage and contract with his said Excellency the Governor, to lodge, medicate, and give them an adequate supply of food, clothing, and household furniture, and to produce them wherever they shall be located, to the inspection of the Protector of Slaves, or any person appointed from time to time, by Letter, by His Excellency the Governor.

And we further respectively undertake and promise, within 1 month from the date hereof, to have them vaccinated; and we will, within the said period, respectively make or cause to be made and forwarded to the office of the Honourable the Colonial Secretary, Affidavits, in writing, that they have been so vaccinated.

And we further respectively promise to report each month to His Excellency the Governor the state of the said several male and female African negroes by us respectively received, and from time to time any casualty that may occur to them, or any or either of them.

In witness whereof we have severally and respectively set and subscribed our hands, at Port of Spain, this 29th day of March, in the year of our Lord 1834.

(Here follow 30 Signatures.)

Sub-Enclosure O.

The Lieutenant-Governor of Trinidad to the Commandants of the Quarters in which the Africans are located.

(CIRCULAR.)

SIR,

Government House, 1st April, 1834.

I TRANSMIT to you herewith a Copy of a Receipt which has been given by
of the Quarter of for Lots of 6 of the
Africans distributed on the 29th, 30th, and 31st instant, together with a memorandum of their sexes
and their African and baptismal names.

The Receipt specifies the conditions to which the Parties are reciprocally bound; and as on the one hand the Africans are at present, from their ignorance of the languages used in this Island, unable to make known their wants or complaints, I have to request that you will have them under your special observation, and that you will particularly befriend them in case of need. On the other hand, should they leave their present domicile before the expiration of the 6 months for which they are hired, you will please to apprehend and restore them to their employers.

The Commandant of the Quarter of ———.

I have, &c.
(Signed) G. F. HILL.

Sub-Enclosure P.

The Lieutenant-Governor of Trinidad to the Protector of Slaves.

SIR,

Government House, 26th March, 1834.

HIS Majesty's Government having directed that the Africans hired out upon estates should be placed under the superintendence of the Officers of Customs, or the Protector of Slaves, whose duty it is to be, to see that justice is done, that no improper labour is exacted, and that the stipulations on behalf of the Africans lately located are faithfully observed in all respects, I transmit to you, herewith, a statement of the names of 20 persons who obtained the services of the Africans who arrived on the 15th of February last by the "*Manuelita*," specifying the estates upon which they were to be located. I also enclose a Copy of the Engagement signed by the Proprietors of those estates; and I request that you will avail yourself of every occasion that your duties lead you to visit the country, to inspect the Africans in the neighbourhood, reporting to me any case which you may consider to require the attention or interference of Government on their behalf.

The Honourable the Protector of Slaves.

I have, &c.
(Signed) G. F. HILL.

Sub-Enclosure Q.

The Lieutenant-Governor of Trinidad to the Protector of Slaves.

SIR,

Government House, 31st March, 1834.

WITH reference to my Letter of the 26th ultimo, I herewith transmit to you a statement, shewing the distribution of the Africans who arrived here on the 26th instant, in the schooner, "*Cristina*;" and request you will visit them for the purposes expressed in that Letter, as opportunities may offer, and report to me their condition. I enclose a Copy of the Receipt of the parties for the Africans, which contains the conditions to which they are reciprocally bound.

The Honourable the Protector of Slaves.

I have, &c.
(Signed) G. F. HILL.

Fourth Enclosure in No. 81.

Sir G. Shee to John Lefevre, Esq.

SIR,

Foreign Office, May 27th, 1834.

I HAVE received and laid before Lord Palmerston your Letter of the 21st instant, together with its several Enclosures, on the subject of the removal of emancipated negroes from the Havana to Trinidad.

I am directed by Lord Palmerston to request that you will state to Mr. Secretary Stanley in reply, that the particular questions raised towards the conclusion of Sir George Hill's Despatch appear to his Lordship to be matters for legal interpretation, and that Lord Palmerston has, accordingly, in the first instance, referred them to the King's Advocate for his opinion upon them.

I am directed to add that, so soon as the King's Advocate shall have reported his opinion, Lord Palmerston will not fail to communicate further upon the subject with Mr. Stanley.

I am, at the same time, to send to you, the accompanying Copy of a Despatch* which Lord Palmerston has recently received from His Majesty's Commissioners at the Havana, both of them bearing upon the subject of your Letter of the 21st instant.

I am to request that you will direct the attention of Mr. Secretary Stanley to the anxiety expressed

* See No. 71.

by the Havana Authorities to be relieved from the condition that, in the transmission of negroes to Trinidad, there should be 1 male for each female; and, I am to beg that you will submit, for the decision of Mr. Stanley, whether, on account of the alleged majority of males, the Havana Authorities should not be permitted to send 4 males for 3 females in each exportation from the Havana to Trinidad.

With reference to the hope expressed by the Havana Commissioners, that means may be devised for securing the further services of Dr. Meikleham, as Medical Inspector of negroes prior to their embarkation for Trinidad, I am to state, that Lord Palmerston will be glad to know whether Mr. Secretary Stanley considers Dr. Meikleham's services as of any importance, and whether he will recommend that any and what remuneration should be made to Dr. Meikleham, or to any other medical gentleman, by his Majesty's Government, upon the occasions on which their services may be called for.

John Lefevre, Esq.
&c. &c. &c.

I am, &c.
(Signed) G. SHEE.

Fifth Enclosure in No. 81.

Sir G. Shee to John Lefevre, Esq.

SIR,

Foreign Office, July 22, 1834.

WITH reference to your Communications to this Department, of the 16th April and the 21st of May, 1834, respecting the plan acquiesced in by His Majesty's Government, at the request of the Spanish Government, for the removal of emancipated negroes from the Island of Cuba to that of Trinidad, and respecting also the political state of those negroes when arrived in the latter island;—

I am directed by Viscount Palmerston to acquaint you, for the information of Mr. Secretary Spring Rice, that the Communication referred to, made by you to this Department, has been transmitted, by Viscount Palmerston's direction, to the Law Officers of the Crown, who have reported it to be their opinion, that the removal of negroes emancipated by the Sentence of the Mixed Commission Court at the Havana to Trinidad, there to be employed as free labourers, under the conditions mentioned, is not contrary to law, provided that they are conveyed as free persons, and are not placed under greater restraints than other persons, not in a state of slavery, or than is necessary for their own safety, or that of the persons who are on board the same ship with them. Upon their arrival at Trinidad, they will be subject to and entitled to the protection of the laws in force in that island in the same manner as the other inhabitants.

I am at the same time directed to request, that you point out to the attention of Mr. Secretary Spring Rice the questions put to you in my Letter of the 27th of May last, and that you will add, that Lord Palmerston will be glad to have an Answer thereto.

John Lefevre, Esq.
&c. &c. &c.

I am, &c.
(Signed) G. SHEE.

No. 82.

His Majesty's Commissioners to Viscount Palmerston.—(Received Aug. 8, 1834.)

MY LORD,

Havana, 31st December, 1833.

WE have the honour to transmit herewith an Abstract of the Registers of the slaves emancipated by Decrees of this Mixed Commission during the year 1833.

In the interval between the delivery up of the negroes by the Captor to the Captain-General, and the issuing of their respective Certificates of emancipation, there have died, according to the reports of the Captain-General,—

On board the "*Joaquina*"..... 4

On board the "*Manuelita*"..... 5

Four negroes are also reported by the Captor to have disappeared from his custody previous to the delivery up of their cargoes to the Captain-General; viz., 2 from on board the "*Joaquina*," and 2 from on board the "*Manuelita*."

One hundred and ninety-five negroes, forming the cargo of the schooner "*Negrita*," were also emancipated this year by the Mixed Commission; but no Register of them could be taken here on account of the cholera morbus then prevailing at the Havana, and there having been in consequence allowed no communication whatever with the shore. His Excellency the Governor of Trinidad has, however, announced the safe landing in that Colony of 189 individuals of the "*Negrita's*" cargo.

We have, &c.
(Signed) W. S. MACLEAY.
CHARLES MACKENZIE.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 82.

Abstract of the Registers of Negroes who have received their Certificates of Emancipation from the Mixed Commission, during the Year 1833.

No.	Name of the Vessel condemned.	Males.	Females.	Totals.
1	Joaquina.....	235	82	317
2	Manuelita.....	412	65	477

N.B. The "Negrita" was also condemned; but her negroes were despatched to Trinidad without having any communication with the Havana.

No. 83.

His Majesty's Commissioner to Viscount Palmerston.—(Received August 8.)

MY LORD,

Havana, 5th June, 1834.

ON the 31st ultimo, His Majesty's schooner, "Firefly," Lieutenant J. J. M'Donnell, Commander, came into this Port with the schooner, "Despique," Jozé Maria Oliveira, Master, which had been detained in latitude 20° 45' N., longitude 83° 4' W., with a crew of 14 individuals, sailing under Spanish colours, on account of her cargo, consisting of 215 negroes, taken on board at Angola. On examining the Papers I found no reason to believe the "Despique" to be other than a Portuguese vessel.

I have the honour to enclose Copies of Lieutenant M'Donnell's Letter to His Majesty's Commissioners, and of my Answer, in which I recommended him to follow the course of proceeding which had been adopted in the similar Cases of the "Rosa" and "Hebe," and which has met with your Lordship's approbation. I have now only to transmit a Copy of the Captor's Declaration, and a Translation of the schooner's Passport, by which it appears that she was at San Pablo de Loando on the 5th April last.

The "Firefly" sailed, with her prize, for Nassau, on the morning of the 3d instant, having been detained for want of water.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Honourable Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 83.

Lieutenant M'Donnell to His Majesty's Commissioners.

GENTLEMEN,

*His Majesty's schooner, "Firefly,"
Havana, 31st May, 1834.*

I BEG to acquaint you that on the 25th May, 1834, in latitude 20° 45' N., and longitude 83° 4' W., I fell in with and captured the Portuguese slave-schooner, "Despique," mounting 2 guns, and have arrived with her at this port to-day. I have further to state, that all the documents are prepared requisite for her condemnation, and request you may be pleased to direct me as to her disposal. The number of slaves on board was 215.

I have, &c.

(Signed)

J. J. M'DONNELL.

Lieutenant Commanding.

His Majesty's Commissioners,

&c. &c. &c.

Second Enclosure in No. 83.

His Majesty's Commissary Judge to Lieutenant M'Donnell.

SIR,

Havana, 1st June, 1834.

I HAVE the honour to acknowledge the receipt of your Letter dated yesterday, announcing that His Majesty's schooner, "Firefly," under your command, has detained on this coast the Portuguese schooner, "Despique," with 215 slaves on board, and enclosing the Papers belonging to the vessel, which Papers are herewith returned. After a careful inspection of these documents, I have to inform you, that I see no reason to believe the "Despique" to be other than a Portuguese vessel.

With respect to the line of conduct now to be adopted with regard to this slave-schooner, I recommend to your attention that pursued by Lieutenant Taplen, of His Majesty's schooner, "Pickle," and Lieutenant Potbury, of His Majesty's schooner, "Nimble," in the similar Cases of the Portuguese vessels, "Rosa" and "Hebe," since the proceedings in those Cases have met with the entire approbation of His Majesty's Government.

I have, &c.

(Signed)

W. S. MACLEAY.

Lieutenant M'Donnell, commanding His Majesty's schooner, "Firefly,"

&c.

&c.

&c.

Third Enclosure in No. 83.

Captor's Declaration.

I, LIEUTENANT JOHN JULIUS M'DONNELL, Commander of His Britannic Majesty's schooner, "Firefly," hereby declare, that on the 25th day of May, 1834, being in or about latitude 20° 45' N., and longitude 83° 40' W., I detained the vessel named the "*Despique*," sailing under Portuguese colours, armed with 2 guns, 6-pounders, commanded by José Maria Oliveira, who declared her to be bound from Angola, on the Coast of Africa, to Havana, with a crew consisting of 12 men, and 2 boys (blacks) whose names, as declared by them respectively, are inserted in a List at the foot hereof, and having on board 215 slaves, said to have been taken on board at Angola, on the Coast of Africa, on the 7th day of April, 1834, and are enumerated as follows, viz. :—

	<i>Healthy.</i>	<i>Sickly.</i>
Men	56	
Women	1	
Boys	90	1
Girls	67	
Total.....	214	1

List of Crew's Names.

José Ma. Oliveira . .	Captain.	Manl. Joaquin Foz .	Seaman.
Joaquin Igno. Ribero	1st Pilot.	José Foz	Do.
Feliz Cosmé Madail .	2d Do.	José Rufino	Do.
José Antonio	Seaman.	José Vicente	Do.
Manl. Franco. Marques	Do.	Franco. d'Oliveira*	Do.
Benito da Silva . . .	Do.	Rufino Ribero* . . .	Do.
Miguel Antonio . . .	Do.	José Roiz	Do.
Prudente Diaz . . .	Do.		

* Two black boys claimed, the former by the Captain, the latter by the 1st Pilot, as their property.

And I do further declare, that the said schooner appeared seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew, on their destined voyage to Havana.

And I further declare, that the crew and slaves on board the said schooner, as far as I observed and examined, were in a healthy state, with 2 exceptions, the 1 slave mentioned in the Form on the other side hereof, and 1 of the former, both of whom appeared to be at the point of death.

(Signed) J. J. M'DONNELL,

Lieutenant Commanding.

Witnesses, JOHN M'RAE, *Assistant-Surgeon.*
H. M. LOCKYER, *Senior Mate.*

Fourth Enclosure in No. 83.

Passport of the Portuguese schooner, "Despique."

(Translation.)

I, AGOSTINHO JOZE' FREIRE, of Her Majesty's Council, Minister Secretary of State for the War Department, and charged temporarily with the Affairs of the Marine, and those beyond the sea, &c., make known to those who shall see this Passport, that the schooner, "*Despique*," José Maria de Oliveira, Master, owned by José Gomez Ligeiro and Co., is about to sail from the port of this City of Lisbon, for the ports of the Coast of Africa, as is proved by legal documents exhibited in this Secretary of State's Office, all the above persons being Portuguese, and subjects of these kingdoms, and no foreigner having any share in the said schooner. And because, in going or returning, she may be met with, either at sea or in port, by the Captains and Officers of ships and vessels of the same kingdoms; therefore, Her Majesty directs them not to throw any impediment, in the way of the "*Despique*;" and she recommends to those of the fleets, squadrons, and merchantmen, of the Kings, Princes, Republics, and Potentates, the friends and allies of the Crown of these Kingdoms, not to obstruct the prosecution of her voyage, but rather to afford her the assistance and favour she may want, under the certain persuasion that those vessels recommended by their Princes shall experience the same and equal treatment. In faith of which Her Majesty ordered the present Passport to be given, signed by me, and sealed with the Great Seal of the Royal Arms.

Given at Lisbon this 1st day of October, in the year of our Lord, 1833.

(Signed) AGOSTINHO JOZE FREIRE.

(L. S.)

By order of His Excellency,

(Signed) JOAQUIN PEDRO DA COSTA.

Lisbon, 4th October, 1833.

(Signed) FONSECA.

No. 13, registered in the Book of Passports for Ships at the Secretary of State's Office for the Affairs of the Sea, &c., 2d October, 1833.

(Signed) JOAQUIN PEDRO DA COSTA.

Seen and approved to enable her to prosecute her voyage to Lisbon, touching at the ports of Havana and Gibraltar.

(Signed) BARAUDA DE SANTA COMBA.

San Pablo de Assumption de Loando, 5th April, 1834.

No. 84.

His Majesty's Commissioner to Viscount Palmerston.—(Received August 8.)

MY LORD,

Havana, 18th June, 1834.

SINCE the 24th ultimo, when I had the honour to address to your Lordship my Despatch* of the 24th of May, 4 Spanish slave-vessels have sailed for the Coast of Africa; viz., the schooner, "*Gazeta*," Joaquin Andreccain, Master, and the brig, "*Volador*," Antonio Marques, both on the 25th ultimo; the brig, "*Formidable*," Jozé Benito Pardo, Master, on the 6th instant; and the schooner, "*Carmen*," Juan Capdevila, on the 14th instant.

On the 21th ultimo arrived from Africa the brig, "*El Mismo*," Jacinto Llobet, Master; and, on the 15th instant, the brig, "*Jacinto*," Francisco Roviroso, Master. On the arrival of the first of these slave-vessels I had, as usual, denounced her to General Ricafort, the then Captain-General, and I have now the honour to enclose a Translation of the Answer which has been returned to this representation of mine, by the new Captain-General, in which Answer your Lordship will perceive that His Excellency encloses a Decision of the Fiscal, absolving the brig, "*El Mismo*" from all concern in the Slave Trade. On the arrival of the "*Jacinto*," therefore, in order to learn whether the same illusory process of examining slave-vessels is to be persisted in under the authority of the new Captain-General, I yesterday addressed to His Excellency the Note a Copy of which I enclose.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

* See No. 79.

First Enclosure in No. 84.

The Captain-General to His Majesty's Commissary Judge.

(Translation.)

SIR,

Havana, 12th June, 1834.

YOUR Despatch of the 24th May last, on the subject of the entry into this Port from the Coast of Africa, of the Spanish brig, "*El Mismo*," Jacinto Llobet, Master, having been communicated to the Acting Commander-in-Chief of the Naval Forces on this Station, I now enclose you a Copy of the Judgment of the Fiscal, by which it appears that there exists no proof whatever of this mercantile enterprize having been concerned in the prohibited traffic of bozal negroes.

God preserve you many years.

Señor Don W. S. Macleay, Commissary Judge,

(Signed)

MIGUEL TACON.

&c.

&c.

&c.

Second Enclosure in No. 84.

Judgment of the Fiscal.

(Translation.)

Havana, 5th June, 1834.

THE uniformity in the evidence of the 9 individuals of the crew of the Spanish brigantine schooner, "*El Mismo*," who all declare that the said vessel has not been employed in the illicit traffic of slaves, but took out a lawful cargo, and returned in ballast direct to this Port, appears to leave no doubt of the truth of these facts. Their statement indeed is corroborated by the search which they experienced both on the voyage out and home from various British cruisers, which, without doubt, would have detained the vessel had they found an unlawful cargo on board. Wherefore, if it appear good to you, as it does to me, to free from all inculpation the Captain Don Jacinto Llobet, you will be pleased for this purpose to give this result of the preparatory investigation into the hands of the Commander-in-chief of this Station.

Señor Commandant of this Province.

(Signed)

MANUEL DE LOS RIOS.

Havana, 6th June, 1834.

IT being proved by the enclosed preparatory proceeding, in which the evidence of 9 individuals of the crew of the Spanish brigantine-schooner, "*El Mismo*," was taken, that her Captain, Don Jacinto Llobet, has not been employed in the illicit traffic of slaves, and that he took out to Africa a lawful cargo, I now transmit this document to you, as well as the Log-book, in which he has noted down his proceedings.

Señor Commander-in-Chief of this Station.

(Signed)

EL CONDE DE LOS ANDES.

Third Enclosure in No. 84.

His Majesty's Commissary Judge to the Captain-General.

Havana, 17th June, 1834.

IN conformity with the line of conduct which his Instructions oblige him to pursue in all such Cases, the Undersigned, His Britannic Majesty's Commissary Judge, has the honour to inform His

Excellency the Captain-General, that it will be his duty to make his Government acquainted with the arrival in this Port from the Coast of Africa, on the 15th instant, of the Spanish brig, "*Jacinto*," D. Francisco Roviroa, Master.

The Undersigned, however, cannot let the present occasion pass without venturing to hope that His Excellency, on entering upon the Government of this island, will adopt such measures as may at length secure the effectual execution of the Treaty between Great Britain and Spain for the abolition of the Slave Trade, supported as this Treaty is by so many Royal Orders, which shew the benevolent intentions of the Spanish Government, and prove its anxious desire to extinguish an inhuman traffic that is gradually undermining the morality and industry of Cuba—a traffic, moreover, which, by augmenting the coloured population at a time when all the negroes of the surrounding islands have been emancipated, presents to this white population the most alarming prospect of the future.

The Undersigned has the honour, &c.

His Excellency the Captain-General,
&c. &c. &c.

(Signed)

W. S. MACLEAY.

No. 85.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 16th August, 1834.

I HAVE received your Despatches of this year up to that of the 18th June last.

I herewith transmit to you, for your information, the accompanying Copies* of Instructions which, by His Majesty's command, I have in the course of this year addressed to His Majesty's Envoy at Madrid, directing that Minister to urge upon the Spanish Government the adoption of such measures as may demonstrate the sincerity of the Government of Spain, in the assurances which they have so often given to this Country, of their anxiety for the suppression of the African Slave Trade of Spain.

I am, &c.

His Majesty's Commissioners,
&c. &c. &c.

(Signed)

PALMERSTON.

* See Class B, Nos. 6, 8, and 12.

No. 86.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 25th August, 1834.

WITH reference to my Despatch to you of the 24th July, 1834*, transmitting Copies of Correspondence which had passed in this Country, on the subject of the proposed removal of emancipated negroes from the Spanish Island of Cuba to His Majesty's Island of Trinidad, I herewith transmit to you, for your information and guidance, the accompanying Copy of a Letter which has more recently been received at this Office from the Colonial Department, conveying Mr. Secretary Spring Rice's opinion upon 2 points connected with this subject, namely, the condition as to the equality of females to males in the number of negroes transferred; and the employment of a medical practitioner, approved by His Majesty's Commissioners, previously to the embarkation of the negroes for Trinidad.

I am, &c.

His Majesty's Commissioners,
&c. &c. &c.

(Signed)

PALMERSTON.

* See No. 81.

Enclosure in No. 86.

Mr. Lefevre to Sir G. Shee.

(Extract.)

Colonial Office, 16th August, 1834.

I AM directed by Mr. Secretary Spring Rice to acknowledge the receipt of your Letter of the 27th May last, and with regard to the 2 points to which you call attention, pending the reference to the King's Advocate, I am to request that you will submit, to Viscount Palmerston, Mr. Rice's opinion—on the former, that His Majesty's Government ought not to relax the condition which requires at least an equality of females to males, in the transfers of captured negroes from Cuba to Trinidad—and on the latter, that it does appear to Mr. Rice to be important, that the negroes should be inspected and certified to be in good health by some medical practitioner, approved by His Majesty's Commissioners at the Havana, previously to their embarkation. On the eligibility of Dr. Meikleham in particular, Mr. Rice can of course form no personal judgment; but if he be selected by the Commissioners, he may be presumed to be competent; and, as regards his remuneration, I am to refer you to my Letter of the 16th April last, in which I was directed to express Mr. Secretary Stanley's opinion, that the expenses of medical inspection would be cheerfully defrayed by the Spanish Authorities.

I have, &c.

Sir George Shee, Bart.
&c. &c. &c.

(Signed)

JOHN LEFEVRE.

No. 87.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 25.)

MY LORD,

Havana, 1st July, 1834.

I HAVE now the honour to enclose Translations of 2 Notes, and an Enclosure which I have received from General Tacon, the new Captain-General, in answer to my representation to him on the arrival of the slave-vessel, "*Jacinto*;" a Copy of which representation was forwarded to your Lordship with my last Despatch.

It is distressing to find that His Excellency is resolved to prosecute the plan adopted by his predecessors for the protection of the Slave Trade, and to remove all responsibility from himself by the system of devolving the preliminary investigation of all such cases of illicit traffic on subaltern Agents.

The decision of the Fiscal can be considered in no other light than as an absolute mockery, both of the Treaty and of the Spanish laws on the same subject. General Tacon has, since he assumed the reins of Government, shewn himself to possess great energy and decision, so that I cannot conceive any one would venture to make so notoriously an illusory report to him if something of the kind had not beforehand been arranged. Nor indeed is it easy to understand how a Chief, whose conduct in every other respect since his arrival has been so judicious and disinterested, could sanction this report, and thus connive at a traffic which is ruinous to the Island, and detested by the enlightened portion of its inhabitants, unless he knew that by so doing he would please the Government at home. However this may be, it is my duty to inform your Lordship, that slave expeditions are unfortunately at this moment almost as infamously frequent as in 1828; no less than 6 vessels having sailed for Africa during the month just expired. Of these, 2 were mentioned in my last Despatch to your Lordship; and I have now to add the brig, "*El Mismo*," Juan Pujol, Master, which sailed on the 25th ultimo; the schooner, "*Lucecita*," Antonio Esteves, Master, which sailed on the 26th; the schooner, "*Bienvenida*," alias "*Mercedita*," José Dias Rivera, Master, which sailed on 27th; and the schooner, "*Minerva*," Andres Puig, Master, which sailed on the 30th.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 87.

The Captain-General to His Majesty's Commissary Judge.

(Translation.)

SIR,

Havana, 18th June, 1834.

I HAVE received your Note of yesterday, informing me that it will be your duty to make your Government acquainted with the arrival in this Port from the Coast of Africa of the Spanish brig, "*Jacinto*," Francisco Roviroso, Master, and by way of provisional Answer I now beg to inform you, that in obedience to the resolution of the Supreme Government, as expressed in the Royal Order of 2d January, 1826, I have addressed the proper Letter to the Acting Commander-in-chief of the Naval Forces on this Station, desiring him to proceed with the necessary preliminary investigation, of the result of which you shall have due notice.

God preserve you many years.

(Signed)

MIGUEL TACON.

The Commissary Judge of His Britannic Majesty,

&c.

&c.

&c.

Second Enclosure in No. 87.

The Captain-General to His Majesty's Commissary Judge.

(Translation.)

SIR,

Havana, 30th June, 1834.

THE Acting Commander-in-chief of the Naval Forces on this Station has transmitted to me the preparatory proceeding drawn up in consequence of the directions issued by him for the investigation of the conduct of the Master of the Spanish brig, "*Jacinto*," as to whether he had been engaged in the prohibited traffic of bozal negroes, and it not resulting from the said preparatory proceeding that the said Master has been concerned in this unlawful commerce, which you will see by the enclosed judgment of the Fiscal, I now beg leave to make you acquainted with the same.

God preserve you many years.

(Signed)

MIGUEL TACON.

The Commissary Judge of His Britannic Majesty.

Third Enclosure in No. 87.

Judgment of the Fiscal.

(Translation.)

Havana, 26th June, 1834.

NINE of the crew of the Spanish brig "*Jacinto*" have been examined, and their Declarations show that this vessel has not been employed in the illicit traffic of slaves; but that she took out to those coasts a lawful cargo, and has returned in ballast directly to this port. It appears, indeed, that there is no doubt of the Master having fulfilled his duty, since he has undergone the search of various English vessels-of-war, one of which has even endorsed his Passport, and it can scarcely be supposed that these vessels would not have detained him if anything suspicious had been discovered on board, wherefore I consider the Master, D. Francisco Rovirosa, of the brig, "*Jacinto*," to be free from all charge, although in expressing this opinion I submit to your superior judgment, and now hand over the Papers to you for that object.

Señor Commander of the Register Office in this Port.

(Signed)

JOAQUIN ZUAZO.

June 26th, 1834.

It being proved by the evidence of 9 of the crew of the Spanish brigantine-schooner, "*Jacinto*," that her Captain, D. Francisco Rovirosa, has not been engaged in the illicit traffic of negroes, and that he had carried out to those parts a legal cargo of goods, I now transmit to you, together with the "*Sumaria*," the Log-book in which the proceedings of the vessel are set forth at length.

(Signed)

EL CONDE DE LOS ANDES.

Señor Commander-in-chief of this Station.

No. 88.

His Majesty's Commissioner to Viscount Palmerston.—(Received 25th Aug.)

MY LORD,

Havana, 1st July, 1834.

IN pursuance of the Act of Parliament, 5 Geo. IV., entitled an Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade, I have the honour to enclose a Return of the Cases adjudicated in this Court of Mixed Commission during the last 6 months.

I have, &c.

(Signed)

W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 88.

Return of Spanish Slave-vessels brought before the Mixed Commission at the Havana, for adjudication, between 1st January, 1834, and 1st July, 1834.

Name of Vessel.	Date of Seizure.	Property seized.	Name of Seizor.	Date of Sentence.	Decretal part of Sentence.	Whether Property condemned has been sold, or remains unsold; and in whose hands the Proceeds remain.
Rosa	1833. 25th Dec.	{ Spanish schooner, having on board 292 slaves.	{ Commander Geo. Daniell, of His Majesty's sloop, "Despatch."	1834. 15th Feb.	Forfeiture.	{ This vessel, tackle, &c. has been sold, and the Proceeds are at present in the hands of the Secretary of the Mixed Commission.

(Signed)

W. S. MACLEAY.

No. 89.

His Majesty's Commissioner to Viscount Palmerston.—(Received September 15.)

MY LORD,

Havana, 11th August, 1834.

I GRIEVE to state that since the occupation of his Post by the new Captain-General, the Slave Trade of this Port has been more shamelessly prevalent than ever I recollect it to have been during my long residence here; while no good whatever results from the representations I make to His Excellency on every arrival from the Coast of Africa.

Since my Despatch to your Lordship on this subject, dated 1st July last, no less than 6 slave-vessels have sailed from the Havana, and 4 have arrived, 1 of which is said to have previously landed more than 700 negroes.

The slave-vessels which have sailed, are the notorious Spanish brig, "*Llobregat*," José Antonio de la Vega, Master, on the 3d ultimo; the Spanish schooner,

"*Tita*," Juan Acosta, Master, on the 17th ultimo; the Spanish brig, "*General Laborde*," Ramon Trello, Master, on the 23d ultimo; the Portuguese brig, "*Fortuna*," Domingo Dargues, Master, on the 27th ultimo; the Spanish ship, "*Socorro*," Juan Peoli, Master, on the 5th instant; and the Spanish schooner, "*Iberia*," Juan Casas, Master, on the 9th instant. The large ship, "*Socorro*," cleared out for the East Indies, but there is no doubt that her real destination is Africa.

The 4 vessels which have arrived in the Havana, after having previously landed their slaves, are all Spanish brigs; viz., the "*Temerario*," Joaquin Blanco, on the 7th ultimo; the "*Alerta*," Antonio Muzard, on the 1st instant; the "*Francisca*," Antonio S. Martin, on the 4th; and the "*Empresa*," Esteban Gallel, on the 8th instant.

On such a lamentable statement it is needless for me to expatiate. Your Lordship will however perceive, that never has the Slave Trade of Cuba been at a greater height than at present, and that the remonstrances of His Majesty's Commissioners here are not attended to, except in a manner that amounts to downright mockery.

I am, &c.

(Signed) W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

No. 90.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 27th September, 1834.

I HEREWITH transmit to you, for your information, the Copy* of an Instruction which I have recently addressed to His Majesty's Envoy at Madrid, respecting the encouragement and protection given to the Slave Trade by the Spanish Authorities at the Havana.

I am, &c.

(Signed) PALMERSTON.

His Majesty's Commissioners,

&c. &c. &c.

* See Class B, No. 13.

No. 91.

His Majesty's Commissioners to Viscount Palmerston.—(Received October 14.)

MY LORD,

Havana, 12th September, 1834.

I HAVE now to report the arrival in this port of 4 more vessels from the Coast of Africa; viz., the Portuguese brig, "*Teresa*," J. J. Correa, Master, on the 20th ultimo; and 3 Spanish, viz., the schooner, "*Tres Manueles*," José Marques, Master, on the 26th ultimo; the schooner, "*Pronta*," Pedro Manegat, on the 27th ultimo; and the brig, "*Belencita*," Santiago Alonzo, Master, on the 8th instant.

I have also the honour to inform your Lordship, that 2 Spanish slave-vessels have sailed for Africa since my last Despatch; viz., the schooner, "*Trajamillas*," alias "*Correo, No. 1*," Sebastian Riego Rivera, Master, on the 11th ultimo; and the brig, "*Temerario*," Angel Ximenes, Master, on the 25th ultimo.

I am, &c.

(Signed) W. S. MACLEAY.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

No. 92.

Sir G. Shee to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 10th November, 1834.

I AM directed by Viscount Palmerston to transmit herewith, for your information, the Copies* of Correspondence which has passed between this Depart-

* See Class B, Nos. 14, 15, 16, 17, 19.

ment and His Majesty's Envoy at Madrid, on the subject of the African Slave Trade of Spain.

His Majesty's Commissioners,
&c. &c. &c.

I am, &c.
 (Signed) G. SHEE.

No. 93.

(CIRCULAR.)

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 17th November, 1834.

THE King having been pleased to confer the Seals of the office of His Majesty's Principal Secretary of State for Foreign Affairs on the Duke of Wellington, I have to desire that you will henceforth address your Despatches and Letters on public business to his Grace.

His Majesty's Commissioners,
&c. &c. &c.

I am, &c.
 (Signed) PALMERSTON.

No. 94.

(CIRCULAR.)

The Duke of Wellington to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 17th November, 1834.

I HAVE to acquaint you that the King has been pleased to accept of Viscount Palmerston's resignation of the office of His Majesty's Principal Secretary of State for Foreign Affairs.

I am to desire that you will, until further arrangements shall be made, address to me your Despatches and Letters on public business, to be laid before the King; and you will receive from me such orders and instructions as His Majesty shall think proper to give for your guidance and direction.

His Majesty's Commissioners,
&c. &c. &c.

I am, &c.
 (Signed) WELLINGTON.

No. 95.

The Duke of Wellington to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 17th November, 1834.

I HEREWITH forward to you the Commission, bearing date the 17th of November, by which His Majesty has been graciously pleased to appoint William Sharp Macleay, Esquire, to be His Majesty's Commissary Judge, and Edward Wyndham Harrington Schenley, Esquire, to be His Majesty's Commissioner of Arbitration, to the Mixed British and Spanish Commission established at the Havana, under the Treaty concluded on the 23d of September, 1817, between Great Britain and Spain, for the prevention of illegal Slave Trade, and pursuant to the Acts of Parliament which have been passed for carrying that Treaty into effect.

Mr. Schenley will, at an early opportunity after his arrival at the Havana, take, in due form, the oath prescribed to him by the enclosed Instrument, prior to the entering upon his further duties in the character assigned to him in His Majesty's Commission of appointment.

You will announce the appointment to the Foreign Members of the Mixed Commission destined to act with you under the Treaty above-mentioned.

You will strictly follow the line of conduct pointed out in the Instructions which have heretofore been given by His Majesty's Secretary of State to His Majesty's Commissioners at the Havana, and further Instructions will, by His Majesty's command, be transmitted to you, according as Instructions may be necessary for your guidance.

His Majesty's Commissioners,
&c. &c. &c.

I am, &c.
 (Signed) WELLINGTON.

RIO DE JANEIRO.

No. 96.

His Majesty's Commissioners to Viscount Palmerston.—(Received Jan. 11, 1834.)

MY LORD,

Rio de Janeiro, 17th November, 1833.

OUR last Despatch had hardly left the harbour, when the documents, Translations of which we have the honour to transmit, appeared in the "*Correio Official*." They all 3 bear the signature of the same individual, the newly appointed Minister of Justice, and bespeak a determination to enforce the observance of the laws directed against the Slave Trade, which, if honestly seconded by those to whom their execution is entrusted, would go far, if not to suppress, at least very greatly to impede, the traffic. But we cannot shut our eyes to the experience of the past, nor allow ourselves to hold out any such expectation to your Lordship, when the very grounds on which these fresh Instructions are issued attest the notoriety and impunity with which similar violations of those laws have been constantly going on, in spite of every effort of the Government to prevent it.

No. 1 of these Papers is a Circular to the different Justices of the Peace along this coast, censuring them for their neglect of duty, and enjoining the greatest activity and vigilance in the detection and apprehension of the offenders.

No. 2 is an application to the Minister of Marine to station additional cruisers off the coast; and we would beg leave to direct your Lordship's attention to the wording of this Despatch, as regards the care to be used in the selection of the Officers' terms; which, we have reason to believe, are not mere matter of form, but are owing to the circumstance of some individuals lately employed having been found to have themselves engaged in the very traffic they were sent out to suppress.

No. 3 refers to a Commission appointed at the close of the last Session of the General Assembly to revise the present legislation, and to make a report to the Government thereon, with a view to the correcting "its most prominent defects."

Among the principal objects enumerated, and which are divided into 8 or 9 leading articles, we looked in vain for the suggestion of any more efficient measure for the suppression of the traffic in slaves: this omission has now been so far repaired, as that the Regency, impelled, it should seem, by the effrontery with which the trade has been openly persisted in, as well as by its alarming increase during the last few months (within which period a greater number of Africans have been imported, and the price they have fetched been consequently less than has been known for some time), has, as your Lordship will perceive in this supplementary Instruction, distinctly recommended the subject to the most serious consideration of the Commission.

No reference is indeed made either to the Law of November, 1831, or to the discrepancy between it and our Treaties; nor, perhaps, could any direct mention of either, in a document of this nature, be expected: it may not, however, at the same time, be improper to remark, that the Instructions by which their labours are to be regulated seem rather to point to the means of securing a more effectual execution of that law than to its modification or repeal.

We have, &c.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Extract from "O Correio Official," Rio de Janeiro, 14th November, 1833.

First Enclosure in No. 96.

(Translation.)

Palace, Rio de Janeiro, 11th November, 1833.

THE Regency, being informed that, with the greatest scandal and infraction of the law, there have been landed, in the vicinity of this city, Africans brought for the criminal object of sale, which has been effected for the Province of Minas Geraes, and even for this capital, which, if unknown to you, denotes remissness and negligence in the fulfilment of your duties and of the injunctions issued upon this subject from this Department of State, orders, in the name of the Emperor Don Pedro the Second, that you proceed, with the greatest activity, energy, and vigilance, to discover and apprehend such imported Africans, and prosecute with all the rigour of the law the importers and transmitters of them, as well as the receivers and harbourers of the same, thereby shewing themselves to be in connivance with those who commit such a crime, which humanity and policy require should not remain unpunished.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

*The Justice of the Peace of the First District of the "Freguesia,"
of the Town of Ilha Grande.*

N.B. Similar Despatches have been sent to the Justices of the Peace of the Districts of the Town of Ilha Grande, Itaguahy, and Mangaratiba.

Second Enclosure in No. 96.

MOST ILLUSTRIOUS AND EXCELLENT SIR,

Palace, 11th November, 1833.

It being known that, with the greatest scandal and infraction of the law, there have been landed on the shores of Ilha Grande, Sepetiba, Paraty, Mangaratiba, and Marambaia, Africans brought for the criminal trade, of the sale of the same, and the most positive orders upon this subject having been sent under this date to the Justices of the Peace of those Districts, I have also to request that your Excellency will order some more national vessels-of-war, commanded by Officers of entire probity and honour, and incapable of failing in their duties, to cruise off the said shores.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Señor Joaquim Jozé Rodrigues Torres.

Third Enclosure in No. 96.

Palace, 11th November, 1833.

THE importation of Africans for the criminal traffic of the sale of the same being continued, with scandalous infraction of the law, throughout the whole Empire, notwithstanding the most positive orders issued by the Government upon that subject, and the Regency, in the name of the Emperor Don Pedro the Second, desiring to prevent entirely a traffic as criminal as it is impolitic, orders that you will remind the Commission appointed to revise the Legislation, of the necessity of taking this subject into its most serious consideration, in order to propose measures of energy respecting it.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Señor João Antonio Rodrigues de Carvalho.

No. 97.

His Majesty's Commissioners to Viscount Palmerston.—(Received Feb. 19, 1834.)

MY LORD,

Rio de Janeiro, 18th December, 1833.

WE have the honour to enclose to your Lordship herewith, a Letter, addressed, on the 3d instant, to His Majesty's Commissary Judge by Rear-Admiral Sir Michael Seymour, transmitting,—

First, a Declaration made by Commander Smart, of His Majesty's sloop, "Satellite," on the detention by him of the brig, "*Paquete do Sul*," under Portuguese colours, on the 15th November, 1833; and,

Second, a Declaration made, on the 25th November last, by Commander Robertson, of His Majesty's sloop, "Snake," on the detention, that same day, of the barque, "*Maria da Gloria*," also under Portuguese colours, with 423 African slaves on board.

The first of these vessels arrived in this Harbour on the 15th, and the latter on the 25th ultimo, but being both put immediately under quarantine, it was not till the 3d instant that the official notification of the fact was made, when, in compliance with the Rear-Admiral's request, the British Commissary Judge communicated it to the Court, and, on the following day, the Papers were brought in by the Admiral, representing the Captor, and duly sworn to by the respective Officers in charge of the 2 prizes.

The Court are now assiduously proceeding in the investigation of both Cases ; and we shall not fail to report the result, with every particular respecting it, at the earliest period after they shall have come to a decision.

In this stage of the proceedings, we conceive the course best befitting our duty is to abstain from entering into any further detail, the more so as it seems likely, from present appearances, that the circumstances attending these captures may become the subject of much future discussion.

We have, &c.
(Signed) GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 97.

The British Commander-in-chief to His Majesty's Commissary Judge.

SIR,

" Spartiate," Rio de Janeiro, 3d December, 1833.

I BEG leave to transmit herewith a Copy of a Letter addressed to me, and a Declaration made by Commander Smart, of His Majesty's sloop, *Satellite*," on the detention of the brig, "*Paquete do Sul*," under Portuguese colours, by that sloop, on the 15th day of November, 1833, and also various Papers which were found on board the brig at the time of detention, and since that period.

I likewise transmit a Declaration made, on the 25th November last, by Commander Robertson, of His Majesty's sloop, "*Snake*," on the detention of the barque, "*Maria da Gloria*," under Portuguese colours, with 423 African slaves on board, and also various Papers found on board at the time of detention.

Both these vessels, though under the Portuguese Flag, are undoubtedly the property of persons domiciled and gaining a livelihood in the Brazils, and the vessels trading to and from the Port of Rio de Janeiro. I have therefore to request you will be pleased to bring these 2 Cases before the Mixed Commission at Rio de Janeiro, in the usual manner.

Sir George Jackson,
&c. &c. &c.

I am, &c.
(Signed) MICHAEL SEYMOUR,
Rear-Admiral.

No. 98.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 26, 1834.)

MY LORD,

Rio de Janeiro, 26th December, 1833.

IN our last Despatch we had the honour of reporting to your Lordship the capture of 2 slave-vessels, under Portuguese colours, by His Majesty's cruisers, and their having been both brought before the Mixed British and Brazilian Commission established at this place, for adjudication.

The first of these, viz. the brig, "*Paquete do Sul*," detained by Commander Smart, of His Majesty's sloop, "*Satellite*," without any negroes, but having shackles and irons on board for securing male and female slaves, is still under the consideration of the Court.

The proceedings relative to the other, "*Maria da Gloria*," taken by Commander Robertson, of His Majesty's sloop, "*Snake*," with 423 slaves on board, a Copy of whose Declaration at the time of capture is herunto annexed, terminated on the 20th instant, and will form the subject of this Despatch.

The usual Monition being issued, according to the forms observed in this Country, the 2 Protests, Translations of which we have the honour to enclose, were presented by Cordonij, the Master of the vessel.

The first, for the illegal detention and capture of the ship, "*Maria da Gloria*," is made in his own name only, as Captain, and is directed against the British Government, the English Admiral commanding the Naval Forces in the Port of Rio de Janeiro, and the Captor, and is principally deserving attention ; 1st, as declaring that she was bound to Monte Video, a subterfuge which, besides being unsupported by any Papers with which the vessel was furnished on leaving this Port, is at variance as well with the Passport with which she sailed from Loando as with the Captor's Declaration, and which appears to have been an after-thought, suggested by some ill-defined idea, taken up since anchoring in this Port, of being able to use it as a ground of defence ; and, 2nd, as putting forward as a fact " that the brig-of-war, '*Snake*,' had not on board the particular Instructions required by the Convention of 1817, nor was destined by the Government of His Britannic Majesty

to prevent the traffic in slaves by Portuguese ships," an assertion which we have little doubt will prove incorrect, but which, as yet, we have no direct means of ascertaining, Commander Robertson not having been in Port since the detention.

The remainder of this Protest, and the exemption claimed from capture on the ground of the traffic being still permitted to Portugal to the South of the Equator, in despite of the 4th section of the 1st Article of that same Convention, is altogether unworthy your Lordship's notice.

The 2d Protest, professing to be made by him as the duly authorized and legitimate attorney of the Owner, Anastacio Jozé Ribeiro, renews that already made, extends it to the Imperial Government, and specifically to the Ministers of Foreign Affairs and of Justice, for having referred the Case to an incompetent tribunal, the Mixed British and Brazilian Commission, ("seeing that this Commission can take cognizance only of prizes made of English and Brazilian vessels found in the traffic of slaves") protests against all their proceedings, and claims to be indemnified for all prejudices, losses, &c.

From the very commencement of the proceedings it appeared that the "*Maria da Gloria*" and the whole of her cargo were the property of 1 individual, and that that individual was a subject, not of Brazil, but of Portugal; nor was anything whatever elicited either by the Court or by Sir Michael Seymour which at all disproved that fact.

On the 16th instant, when both the Brazilian and British Commissary Judges had fully made up their minds, and were ready to give judgment, Sir M. Seymour, who had assisted at the whole of the examinations (and to whom, it is due to our Brazilian colleague to state, the utmost possible courtesy and latitude in his character of prosecutor were extended), announced to the Court, having till then declined employing any legal assistant, that he had put his cause into the hands of a Mr. Stevenson, and should, through his agency, apply for further time, with a view to prove that the reputed Owner of this property was a Brazilian. Accordingly, on the 18th, he delivered in the enclosed Paper in Portuguese.

The Court intimated their readiness to comply with his demand, on the usual security being given; but that, unless this fact of Brazilian ownership could be established, the delay would be useless (their opinion, subject to the production of any proof of that nature, being already formed), and could only tend to the prejudice of the slaves, respecting whose sufferings, from their long confinement on board, representations had been already made.

Sir M. Seymour took time to consider this answer, and on the following day presented a 2d Paper, declaring that he desisted from his application, (Enclosure, No. 5.)

The Court, though many of the expressions contained in these documents could not escape their observation, did not, nevertheless, allow themselves to make any comment upon them; and no attempt to prove either of the 2 facts alleged, viz., 1st, that the hull of the vessel was Brazilian property, and, 2d, that her Owner was born in Brazil, and acknowledged as a Brazilian, having been made, proceeded to pass the Sentence which your Lordship will find in the Extract from the Protocol of the 20th instant, which we have the honour to transmit herewith, (Enclosure, No. 6.)

The British Commissary Judge felt it the more incumbent upon him formally to record the grounds of his opinion in this Case, both on account of the reference made in the Admiral's first argument to the decisions given by the Court in what are termed "identical causes," and of the concurrence in his views which he met with, on this occasion, on the part of his Brazilian colleague.

The ground of this Sentence, your Lordship will perceive, is that, to give the Mixed Commission at present established here jurisdiction in any Case whatever, it is necessary to prove either British or Brazilian ownership, or, at least, the fact that either British or Brazilian capital, or interest of some kind, is actually concerned in the adventure; and that, consequently, property belonging exclusively to the subjects of any other Nation engaged in the traffic, even though that Nation should be a party to the Treaties entered into with Great Britain for the abolition of the Slave Trade, does not come within their jurisdiction, nor is liable to the penalties denounced by the Alvará of the 26th January, 1818, *through the Mixed Commission*.

The Brazilian Commissary Judge had heretofore proceeded upon the principle that the 2d Article of that Law referred, not to their own subjects intro-

ducing slaves into Brazil under a foreign Flag, but to the introduction of them by foreigners; and on the latter part of the 4th Article, which declares it to be lawful for either of the parties to apply to the Mixed Commission to determine whether or not the Case have reference to the Abolition, he put a similar construction; viz., that that Commission acquired, by it, jurisdiction in any Case, other than British or Brazilian, provided either of the parties, the accuser or accused, applied to them, and upon this principle was, at first, disposed to admit this Case at the requisition of the Captor.

To this twofold cause is to be attributed as well the cognizance which the Court have, in some instances, taken of Portuguese vessels, as the apparent anomaly of decreeing the emancipation of the slaves, thereby establishing the perpetration of the crime, and not, at the same time, pronouncing Sentence of condemnation on the ship, and the other penalties prescribed by that part of the 1st Article, which, after making provision for the disposal of the slaves, proceeds to declare, in fulfilment of the 3d Article of the Convention of 1817, the punishment which the Portuguese (now Brazilian) subjects should incur by an illegal participation in the traffic.

Not to take up your Lordship's time, by entering at length into the reasonings of Sir Michael Seymour, founded on his reading of the Law of Nations, or his view of the duties of the Court, as deduced from the assumed applicability of the principles which regulate the proceedings of the High Court of Admiralty to the supposed engagements between Great Britain and the Empire of Brazil, it may be sufficient here to observe (as the Admiral was reminded when urging these and such like arguments upon the Court,) that those duties emanate, not from the general Law of Nations, but from a specific Treaty, entered into for one defined and particular object, and that the very circumstance of so unusual a power thus conceded to a Tribunal of so novel a character takes their proceedings out of the general rule for which he so strenuously contended, and made it only the more imperative upon them to be most cautious not to deviate from that one broad line of duty which their Instructions so clearly prescribe.

It is unnecessary also, perhaps, on this occasion, to advert more than cursorily to the renewed declaration of the Brazilian Commissary Judge, that the so oft recited Alvará, in virtue of which judgment was prayed on this vessel, is, in fact, no longer in existence, the Law of November, 1831, having superseded it.

Another and, as it appears to us, a much more pertinent and conclusive argument adduced by the Brazilian Commissary Judge, to shew its complete abrogation as to Brazil, is, that, from the moment of the separation of Portugal and Brazil, the punishment by the latter, as prescribed by the Alvará, that of banishment to Mozambique, ceased to be practicable; and that, by her Convention with Great Britain of 1826, the crime in question was to be treated as piracy; the penalty attached to that crime, imprisonment for a certain number of years, being substituted for the previous one of banishment.

These are points, however, foreign to our present purpose, and we might here close our Report of this Case, did we not deem it advisable, under the circumstances, to put your Lordship in possession of the several Documents bearing upon it, from which, in the absence of any counter-proof, we deduce the fact of the "*Maria da Gloria*" and her cargo being Portuguese.

A Minute of these will be found in the Enclosure, divided, for greater perspicuity, into those produced by the Claimant, and those transmitted by the Brazilian Government.

On the same principle we forbear to trouble your Lordship with the evidence taken before the Court, proving this cargo of slaves to have been shipped by contraband, outside the Bar of Loando, and to have been destined, on the admission of the Captain himself, for the Coast of Brazil, and not for Monte Video, as alleged in his Protest.

In addition to the above-mentioned Papers, the Minister of Justice transmitted a Copy of the act of examination and proceedings had in respect to this vessel, as directed by this Government, by which the Master, Cordonij, and his Mate were ordered to be committed for trial.

A Warrant has been also issued by the same Authority for the apprehension of Anastacio Jozé Ribeiro. This man was cited before the Commission, but did not appear; and his wife, who received the summons, declared to the Marshal of the Court who served it that he had gone from home some days. A summons was then also directed to herself, but it was not obeyed.

The Admiral has announced it to be his intention to send the "*Maria da Gloria*" to Sierra Leone.

On this point, my Lord, as also on the course which would have been pursued by this Government, had he decided on delivering over the prize to them, as he had at first intimated, His Majesty's Government will, no doubt, receive more direct information both from himself and through Mr. Fox.

We have only to state therefore, on this part of the subject, that the Brazilian Commissary Judge, who evinced great anxiety to know what the Admiral's decision might be, declared that his Government was prepared to proceed instantly in the Case, according to the provisions of the Law of November, 1831, should it be determined to surrender the vessel and cargo into their hands.

We have, &c.

(Signed) GEORGE JACKSON.
FRED. GRIGG.

P.S. 31st December.—Since writing the above we have conversed with Commander Robertson, who has returned to this Port. As we anticipated, that Officer has assured us that he has the Instructions and every other Document on board required for such vessels as are employed to prevent the illicit traffic in slaves.

(Signed) G. J.
F. G.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

First Enclosure in No. 98.

Captor's Declaration.

I, WILLIAM ROBERTSON, Esq., Commander of His Britannic Majesty's sloop, "Snake," hereby declare, that on this 25th day of November, 1833, being in or about latitude 24° 11' South, longitude 42° 40' West, I detained the ship or vessel named the "*Maria da Gloria*," sailing under Portuguese colours, armed with 2 guns, 3-pounders, commanded by Joaquim Gerardo Cordonij, who declared her to be bound from Angola to Rio de Janeiro with a crew consisting of 13 men, no boys, no super-cargo, 3 passengers, whose names, as declared by them respectively, are enumerated in a List at foot hereof, and having on board 423 slaves, said to have been taken on board at Angola, on the 24th of October, 1833, and are enumerated as follows, viz. :—

	Healthy.	Sickly.	
Men.....	71	4 (1 in a dying state,..)	75
Women ...	32	2	34
Boys.....	217	3	220
Girls.....	90	4	94

Total..... 423

I do further declare that the said ship or vessel appeareth to be seaworthy, and was supplied with a sufficient stock of water and provisions for the support of the said negroes and crew on their destined voyage to Rio de Janeiro.

(Signed) W. ROBERTSON,
Commander.

Witnesses, LIARDET, *Senior Lieutenant.*
JOHN GRAY, *Surgeon.*

Second Enclosure in No. 98.

(Translation.)

PROTEST.

JOZE DI MIRANDA, Vice-Consul of Her Most Faithful Majesty, and charged with the affairs of the Consulship-General in the Empire of Brazil :—

I certify, that in this Chancery of the Consulship-General of Her Most Faithful Majesty, in Book II, pages 38 and 39, is entered the Protest made by the Master of the Portuguese galera, "*Maria da Gloria*," which is as follows: The undersigned, Captain and Master of the Portuguese galera, "*Maria da Gloria*," which was captured by the English brig-of-war, "Snake," to the south of the Bar of Rio de Janeiro, on the 26th day of the present month of November, proceeding from Angola to Monte Video, on pretence of having Africans on board, being sensible that such proceeding is contrary not only to the Law of Nations, but is especially opposed to the Treaties between Portugal and England, dated the 22d of January, 1815, in Vienna, and to the additional Convention made in London, on the 28th of the month of July, 1817, by which Portuguese subjects are prohibited from carrying on the traffic in slaves only to the North of the Equator; and as the vessel, performing a voyage from Angola, was furnished with a Passport and other Papers, showing that she came from ports to the South of the Equator, and that she could not be detained and captured without an infraction of the 1st Article of the Treaty of the 22d of January, 1815, the more so as being met on the high seas at 58 miles to the south of the Bar of Rio de Janeiro, in her course towards Monte Video, the chase of the vessel was not begun to the North of the Equator, and consequently she could not, on any principle, be captured and detained, as is expressed in Article IV. of the Instructions annexed to the additional Convention of the 28th of July, 1817, intended for the Portuguese and English ships of war, charged to prevent the illicit commerce of slaves, which stipulation is as follows :—

"Article IV. Under no pretence can be detained Portuguese merchant-ships, or those employed in the commerce of negroes, in whatever latitude they may be met, whether near the land or on the high sea, to the South of the Equator, unless it be in consequence of the chase thereof having been begun to the North of the Equator."

In consequence, the violation being manifest of that Article of the Instructions forming a part of the Treaty and additional Convention of 1817, inasmuch as the vessel, "*Maria da Gloria*," was detained at so great a distance to the South of the Equator, without the chase of the same having been begun to the North of the Equator; and it being also certain that the brig-of-war, "Snake," had not on board the particular Instructions, nor was destined by the Government of His Britannic Majesty to prevent the traffic in slaves by Portuguese ships, without which no ship is to take part in preventing such traffic, as is expressed in the 7th Article of the same additional Convention, which even requires these Instructions to be signed by the Minister of Marine of Great Britain, and given in the 2 languages, English and Portuguese; for this reason the undersigned protests against the detention and illegal capture of the Portuguese ship, "*Maria da Gloria*," against His Excellency the English Admiral commanding the Naval Forces in the Port of Rio de Janeiro, and against the Officer commanding the capturing brig, to be hereafter indemnified by the Government of Great Britain, for the prejudice, losses, and damage, profits ceasing and losses arising, which shall result from a proceeding as violent as it is arbitrary and opposed to all the existing Treaties, and which have lately acquired new force by the proceeding of the Government of his Britannic Majesty, in their recent acknowledgment in Portugal of Her Majesty Donna Maria the Second. And in order that this Protest may at all times be known, I sign it, and cause it to be inscribed in the Books of the Portuguese Consulate at Rio de Janeiro, in order that it be duly intimated.—*Rio de Janeiro*, 27th November, 1833.

(Signed) JOAQUIM GERARDO CORDONI.

And nothing more is contained in the said Protest, of which I have caused the present Certificate to be faithfully extracted. Given under the Seal of the Portuguese Nation, in Rio de Janeiro, 9th December, 1833.

(Signed) JOZE DE MIRANDA,
Vice-Consul.

Third Enclosure in No. 98.

(Translation.)

PROTEST.

MOST ILLUSTRIOUS GENTLEMEN OF THE MIXED COMMISSION,

BRAZILIAN AND ENGLISH,

JOAQUIM GERARDO CORDONI, Captain and Master of the Portuguese galera, "*Maria da Gloria*," which was detained and captured by His Britannic Majesty's brig-of-war, "Snake," William Robertson, Commander, on occasion of having fallen in with her more than 58 miles to the south of the Bar of Rio de Janeiro, having on board Africans, states that, not only by reason of the advertisements in the public papers, but that being in a state of the greatest coercion, violence, and oppression, the Petitioner was called to answer questions before this Commission, without reflecting that the whole of the acts and proceedings are null. It is for these reasons that the Petitioner is informed that, trampling under foot the most obvious principles, not only of the right of Nations, but even of universal jurisprudence, the cognizance of the capture of that vessel was committed to you, and that in virtue thereof you have ordered notices to be affixed, in order that those interested in the vessel or cargo may appear and make any claim which they may have. The Petitioner is the duly authorized and legitimate Attorney of the Owners of the ship and cargo, having already made his Protest against the Government of His Britannic Majesty, against the Admiral of the British Forces stationed in this port, and against the Commander of the capturing cruiser, repeats again that same Protest before this Commission, in order that it be intimated as well to His Excellency the Admiral as to the Commander of the capturing brig, "Snake," William Robertson; and at the same time he also protests before this same Commission against the Government of His Majesty the Emperor Don Pedro the Second, and particularly against the Most Excellent Ministers of State, Bento da Silva Lisboa and Aureliano de Souza Oliveira Coutinho, for having referred to this Commission the decision of a capture of Portuguese property, subjecting the judgment thereof to incompetent judges, seeing that this Commission can take cognizance only of prizes made of English or Brazilian vessels being found in the traffic of Africans and slaves; which proceeding, besides being the most arbitrary, involving even a violation of the Treaties made between England and Portugal, becomes more and more hateful by the proceedings practised towards the Petitioner and towards the crew of the ship and the passengers, all of whom have been imprisoned and even inaccessible, the whole to render difficult the means of their natural defence—a proceeding which was not to be expected from the National Government which now presides over the destinies of the Brazilian nation: and from this moment the Petitioner protests against every act, process, and judgment of this Commission, inasmuch as he does not acknowledge in it any jurisdiction for the cognizance of a Portuguese capture. The Petitioner annexes to the present the document in proof not only of his Protest against the illegal capture of the vessel, but he even proves by them that the vessel is Portuguese property, purchased of Jozé Bernardino de Sá, a resident in this capital, by the Portuguese merchant, Anastacio Jozé Ribeiro, of which purchase and sale, made upwards of 2 years ago, he encloses the writing in Copy, as also he annexes another document, shewing that the said Anastacio Jozé Ribeiro is a Portuguese citizen, and finally the Procuration of the Petitioner, in order that his Attornies may defend him.

He requests that you, Gentlemen, will be pleased to order the present to be added to the documents of the Process in question, giving orders that the Protests included in this requisition be notified and delivered officially, by Copy, to the persons interested, against whom they are directed; and the Petitioner protests against any negligence on the part of this Commission, that he may be indemnified from its Members, and from the Brazilian Government, for all prejudice, losses, and injuries of which they may be the cause, seeing that no one can be deprived of his natural defence.

(Signed by procuration) JOAQUIM JOZE LEITE DA COSTA.

Fourth Enclosure in No. 98.

The British Commander-in-chief to the Mixed Commission.

(Translation.)

GENTLEMEN,

Rio de Janeiro, 18th December, 1833.

ADMIRAL SIR MICHAEL SEYMOUR, Bart., Commander-in-chief of the British Naval Forces stationed in Brazil, in the name of William Robertson, Commander, and of the crew of the brig-of-war, "Snake," has to present to the Commission some observations and motives bearing upon the judgment to be pronounced on the vessel, "*Maria da Gloria*," captured by the said brig, "Snake."

In order that the present exposition may be entered upon dispassionately, it is necessary that some order of reasoning be established, by which, rejecting all tumultuous confusion in the different matters, simplicity may be the guide of the judge.

The first consideration is the Treaty entered into between this Empire, the Kingdom of Portugal, and England, respecting the extinction of the traffic in slaves, in Brazil, as also the penalties denounced against its infraction.

The ship, "*Maria da Gloria*," was captured in the waters of this Port, having on board 423 slaves. These slaves, according to that Treaty, are considered to be free, and as such, sent back to the port from whence they came, and the importer, being a Brazilian, suffers the penalties inflicted on pirates. The vessel becomes the property of the Captors.

It appears, that according to the afore-mentioned Treaties of 1815 and 1817, and finally ratified in 1826, and to the additional Articles, the Mixed Commission created in this Capital ought to be considered competent to the required adjudication, the more especially, the hull of the said vessel being Brazilian property.

Anastacio Jozé Ribeiro has been summoned to appear and defend his right, but he has not complied; were he a Portuguese there is no doubt he would have appeared in the support of this his right.

In the second place, what proofs are there that he is not a Brazilian?

The Passport granted by the Portuguese Consul-General, João Baptista Moreira, does not decide any thing, for this man was disgracefully unmindful of probity, of duty, and of conduct, granting Portuguese Protections to many Brazilian citizens, who wished to evade serving in the National Guard and other national obligations.

The flag hoisted on board the "*Maria da Gloria*," at the moment of her capture, was that of Don Miguel, and consequently was not a Portuguese Flag, that Flag not having been acknowledged for a long time past, but substituted by that of the Queen of Portugal; and it is astonishing, that a Chargé d'Affaires of Donna Maria II., Queen of Portugal, should think of despatching any vessel under a Flag which was a nullity; and still more strange, that that Flag should be considered as belonging to Portugal, and such property as Portuguese; or that any one should be denominated a Portuguese, who recognized only the invasion of the Usurper. Don Miguel, never recognized in this Empire. Besides this, if it is alleged that Anastacio (now residing in this city) was living in Bahia, in 1822, making common cause with the Portuguese General, Madeira, in order to induce the belief that he is a Portuguese, this assertion does not prove it, for the same thing has happened with many Brazilians, who are at this day Brazilian subjects.

The Constitution so designates those who were born or resided in Brazil, at the period of her Independence; and these privileges are never lost, as is provided for by the Article of the Constitution.

In the same circumstances may be considered the other assertions, of his having lived until 1830 in Portugal, and of his subsequently coming to Brazil in a vessel of his own, with a Passport granted by the Portuguese Government; it being well known how these matters are managed. It is generally known that many adopted Portuguese, whenever they please, call themselves Brazilians, and when this no longer suits their interest, they again declare themselves Portuguese.

Anastacio was, as it appears, born in Brazil, and was acknowledged as a Brazilian; and if he has assumed the name of Portuguese, it has been to enable him the better to forward his projected infringement of the laws of this Country; and this to such an extent even, that it is generally reported that he is now at Ilha Grande, waiting to receive other ships belonging to him, which are expected back from Africa with slaves. Furthermore, the voyage commenced here, the vessel sailed hence, and returned here. The slaves entered the waters of this Empire. Treaties and Laws were trampled underfoot by the Owner of the vessel, or rather pirate. This individual is obliged to respect the Laws of the Country in which he resides (supposing him gratuitously to be a Portuguese), and it would be absurd to permit him, under this appellation, or that of foreigner, to commit, with impunity, against the Country which fosters him, whatever crimes he may please.

The crime was committed in this Empire, and it is the province of this Mixed Commission to take cognizance of it. This crime was imagined, conducted, and completed, in this Empire; and it would be degrading to the national character, compromised in this Case, that the Brazilian Empire should suffer another Nation to punish the delinquent, or to judge of and decide respecting his condemnation or acquittal.

No other authority in Brazil is competent to judge this Cause, and much less a foreign one. Moreover, the fact of the residence of Anastacio in this Empire, has given him a *quasi* national character, which, while living under the protection of the Laws of Brazil, precludes the possibility of his being by any means whatever subjected to the infliction of any penalty by another Nation.

It was probably upon these principles, that this same Mixed Commission have twice decided identical causes in the manner now pointed out, and it is hoped that they will not now proceed differently.

During the short space of time allowed the Admiral to plead in favour of the capture, and pray for judgment, he cannot bring forward such witnesses as might be of service to him; he requires that, according to the Regulations of the Mixed Commission, he may be allowed time for this purpose, in order that the precipitation of the proceedings may not indirectly deprive the party to whom it belongs of his right; and he protests against any Sentence as partial, should he not be allowed the legal postponement that justice demands.

It is of the greatest importance to know, whether Anastacio be, or be not, a Portuguese, on account of the ideas which the Commission may entertain of acquitting the criminal on that ground,

there being no positive proof whatever which may induce the belief that he is a Portuguese, and the information respecting him being altogether devoid of the character of full and perfect truth.

It is to be observed that, supposing, in the same gratuitous manner, that Anastacio is a Portuguese, that the flag he hoisted and used at sea also was Portuguese, and, finally, that he was navigating in due form; even from these circumstances it would not follow that he ought not to be tried by this Commission, because the crime was committed in this Country, which possesses the right to punish any criminal; and because, according to the Law of Nations, which regulates the duties and obligations between each other, it is acknowledged that any stranger, residing in a foreign Country, is invested with the national character, whenever he commits a malversation in and against that Country, whose dignity and honour would be thereby compromised.

It would be opening a wide door to the annihilation of the Treaty made with this Empire respecting slavery, should the slaves be permitted to be sold in this Empire; and, finally, if the right of punishing the delinquent were to be transferred to another Nation.

(Signed) MICHAEL SEYMOUR,
Rear-Admiral.

The Members of the Mixed Commission,
&c. &c. &c.

Fifth Enclosure in No. 98.

The British Commander-in-chief to the Mixed Commission.

Rio de Janeiro, 19th December, 1833.

ADMIRAL SIR MICHAEL SEYMOUR, Bart., Commander-in-Chief of His Britannic Majesty's Naval Forces, in Brazil, presented yesterday, the 18th of December instant, some observations to you, intended to produce an influence in the Case of the barque, "*Maria da Gloria*," captured by the brig-of-war, "Snake," and requested that time might be allowed to prove that Anastacio José Ribeiro, the Proprietor of the adventure, is a subject of this Empire; finding, however, considerable difficulty in substantiating this point, for want of time, he desists now from his application, though he cannot admit the sufficiency of the proof adduced before the Commissioners, that the said Anastacio is, as alleged, a Portuguese subject.

It is clear that the object and spirit of the Treaty entered into between this Empire and Great Britain, on the 23d November, 1826, was to abolish the traffic in slaves, and to prevent entirely the equipment of expeditions for that purpose in the ports of Brazil.

On this principle it is that the Admiral very respectfully persuades himself that the Mixed Commission should form their decisions, because they would otherwise fall into the absurdity, and be guilty of the crime, of consenting that Portuguese subjects, residing in Brazil, should continue the traffic from Brazilian Ports, in vessels under Portuguese colours, which would be exactly the same thing as that the Brazilian Government should be step-father to their own subjects, and be father to foreigners, all the stipulations of the Treaty thus becoming nullified.

Wherefore, the Admiral requires that, before the Mixed Commission decides the question, the Imperial Government and the British Minister may be consulted as to the true meaning of the Treaty in this Case, and also respecting the understanding of the 2 Governments, as to their recognition of the international law, which determines, that a foreigner residing in this Country acquires a national character, and becomes subject to the same penalties as the natives engaged in the traffic of slavery.

In the supposition even that, because the vessel is Portuguese property, and therefore not subject to the penalties, yet this circumstance cannot avail with respect to the slaves on board, the introduction of whom into this Country, being prohibited by Laws the most decisive of the Empire; and there being no doubt that the intention of the Owners interested in the expedition of the barque, "*Maria da Gloria*," was to land the slaves in a port of Brazil, they ought, for this reason, to be declared free by the Mixed Commission, and the importers of them condemned according to the law.

In all other respects the Admiral confirms entirely the representation which he made yesterday to the Mixed Commission.

(Signed) For the Captors, MICHAEL SEYMOUR,
Rear-Admiral.

The Members of the Mixed Commission.

Sixth Enclosure in No. 98.

Extract from the Protocol, 20th December, 1833.

THE British Commissary Judge read his opinion respecting the Sentence to be given in the Case of the barque, "*Maria da Gloria*," which is as follows:—

"Of the illicit traffic in slaves, as established in proof against the barque, "*Maria da Gloria*," and of her consequent liability to capture and condemnation, under the Treaties between Great Britain and Portugal, the British Commissary Judge can entertain no doubt; but he has looked most scrupulously, but in vain, in the Commission with which the King, his Master, has been graciously pleased to entrust him, for authority to adjudicate the Case of any vessel other than British or Brazilian; nor can he find any in the Alvará of the 26th of January, 1818, supposing it were still in full force, and unrepealed by any subsequent legislative Act, that Law referring, as he conceives, even in that part of the 4th Article which allows a Case to be brought before the Mixed Commission, exclusively to the subjects of that Government by whom it is promulgated; viz., that of Portugal in the first instance, and of Brazil, after the Declaration of her Independence. Seeing then, that there is no evidence, direct or indirect, before the Court to disprove this vessel and the whole of her cargo to be *bonâ fide* Portuguese property; and that his colleague, the Brazilian Commissary Judge, M. João

Carneiro de Campos, declares officially that the acknowledged Owner of the vessel is a Portuguese, and recognized as such by the Brazilian Authorities, the British Commissary Judge is obliged, however reluctantly, to declare his opinion, that this Court has no jurisdiction in this Case, nor any power to take cognizance of it."

The Brazilian Commissary Judge, agreeing in opinion with the British Commissary Judge, they deliver the following Sentence:—

"It appearing by the documents annexed to the present Acts, that the barque, '*Maria da Gloria*,' detained by the English brig-of-war, '*Snake*,' in latitude 24° 11' South, longitude 42° 40' West, by reason of there having been found on board of her 423 Africans, was despatched from this port by the Portuguese Consulate and the Brazilian Authorities, as the property of the Portuguese subject, Anastacio Jozé Ribeiro; and that she proceeded under the Flag of that Nation to the Port of Loando, whence she also returned with a Portuguese Passport; and as it cannot be ascertained, either by the same documents, or the deposition of the witnesses, that the above-mentioned Anastacio Jozé Ribeiro is comprehended, on account of his having resided previously in Brazil, in the 4th Section of the 6th Article of the 2d Head of the Constitution of this Empire, or that any Brazilian or English subject owns any part of the said barque and her cargo, Cases in which it would be competent to this Commission to give judgment as to the detention of the same and of her cargo, in conformity with the existing Treaties, they declared that the same Commission is not competent, in virtue of the Instructions which serve as their guidance, to decide finally in this Case."

(Signed)

GEORGE JACKSON.
JOAO CARNEIRO DE CAMPOS.

Seventh Enclosure in No. 98.

Minute of Documents in proof that Anastacio Jozé Ribeiro, Owner of the "Maria da Gloria," and that Vessel, and the whole of her Cargo, are Portuguese.

FIRST CLASS*.

Those produced by the Claimant, and referred to in his 2 Protests, viz.:—

(A.)

A Passport, dated Lisbon, 2d June, 1830, given by the Duke de Cadoval to Anastacio Jozé Ribeiro, as the Portuguese Owner of a Portuguese vessel.

(B.)

Certificate of Sale of the "*Maria da Gloria*," to the Portuguese merchant, Anastacio Jozé Ribeiro, dated Rio de Janeiro, 7th March, 1831.

(C.)

Certificate of Passport given on the 13th May, 1833, by the Portuguese Consul-General at Rio de Janeiro, and registered in his Office, to Anastacio Jozé Ribeiro, to proceed from Rio de Janeiro to the Coast of Africa.

(D.)

Passport from the Portuguese Governor of Angola, dated Loando, 10th October, 1833, for the "*Maria da Gloria*" to proceed to Rio de Janeiro.

* (A.) and (D.) are subjoined in translation.

SECOND CLASS.

Documents furnished by the Brazilian Government to the Court of Mixed Commission, viz.—

Despatches from the respective Ministers of Foreign Affairs, of Marine and Finance, all recognizing Anastacio Jozé Ribeiro as a Portuguese, and transmitting the documents in virtue of which the "*Maria da Gloria*" was entitled to clear out, and did clear out, for Angola, as a Portuguese vessel, among which documents is a List of the Crew, the great majority of whom (22 out of 27) are declared to be Portuguese.

Sub-Enclosure (A.)

(Translation.)

PASSPORT.

THE Duke of Cadoval, President of the Council, Grand Cross of the Orders of Christ and of the Tower and Sword, and Minister *ad interim* of the Marine and Colonial Departments, &c.

Be it known by these presents, that the ship called "*Onze de Maio*," whereof is Master Joaquim da Cunha Reis, and sole Owner Anastacio Jozé Ribeiro, according to the deposition made by him on oath at this Office, and proved by documents presented by him, both being Portuguese subjects, and no stranger whatever having any interest in the said ship, is about to proceed to Rio de Janeiro, and from thence to the east and west ports of the Coast of Africa, from whence she is to return by the ports of Brazil to the aforesaid City of Lisbon, and because that, either on the outward or homeward parts of the voyage, she may be met with at sea, or in any ports, by any Officers of the ships belonging to this Nation, His Majesty the King orders that no impediment whatever may be caused to the said ship, and recommends to the Commanders of squadrons and ships belonging to the Kings, Princes, Republics, and Potentates, friends and allies of the Crown of these Realms, not to molest her in the prosecution of her voyage; but rather to grant her all the succour and favour which she may require, in the certainty that a reciprocal conduct will be observed toward the before-mentioned Princes, in faith thereof I have ordered this Passport to be granted, signed by me, and bearing the Great Seal of the Royal Arms. Given in Lisbon, the 2d day of June, in the year of our Lord 1830.

DUKE OF CADOVAL.

By order of His Excellency, JOAQUIM PEDRO DA COSTA.

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(L. S.) the Great Seal of the Royal Arms of Portugal.—Paid for stamp 480 reis. Lisbon, the 7th of June, 1830.—Silva reis.—No. 24 on the back of the Passport.—Registered at folio 168 of the Book 28 of Ships' Passports.—Secretary of State for the Marine and Colonial Department, the 3d of June, 1830, Joaquim Pedro da Costa.—And nothing more was contained in the Passport.

In faith whereof I ordered the present Certificate to be granted, being signed by me, and sealed with the Royal Seal of the Arms of the Portuguese Nation, in Rio de Janeiro, the 9th day of December, 1833.

(Signed) JOZE DE MIRANDA, Vice-Consul.

(L. S.) the Royal Arms of Portugal.—No. 852.—(L. S.) the Seal of the Imperial Arms of Brazil.—Paid for stamp 80 reis for 2 half-sheets.—Rio, the 11th of December, 1833.

(Signed) OLIVEIRA.

Sub-Enclosure D.

(Translation.)

PASSPORT.

JOZE MARIA DE SOUZA ALMEIDA MACEDO E VASCONCELLOS, Baron of Saint Comba, Daõ of the Council of His Most Faithful Majesty, Fidalgo of his Palace, Commander of the Order of Christ, Governor and Captain-General of the Kingdom of Angola and Conquests, &c.

In obedience to the Royal Orders issued from the office of the Secretary of State for the Affairs of the Marine and the Colonies, I make known to all to whom this Passport shall be presented, that the Portuguese barque, "*Maria da Gloria*," Joaquim Gerardo Cordonj, Master, and Owner, Anastacio Jozé Ribeiro, a Portuguese subject, as proved by documents presented, is about to sail from the Port of Loando for the Port of Rio de Janeiro, from whence she came; and because that, either on the outward or homeward part of the voyage, she may be met with at sea, or in any ports, by any Officers of the ships belonging to this Nation, His Majesty, the King, orders, that no impediment whatever may be caused to the said ship, and recommends to the Commanders of squadrons and ships belonging to the Kings, Princes, Republics, and Potentates, friends and allies of the Crown of these Realms, not to molest her in the prosecution of her voyage; but rather to grant her all the succour and favour which she may require; in the certainty that a reciprocal conduct will be observed towards the before-mentioned Princes: in faith thereof I have ordered this Passport to be granted, signed by me, and bearing the Great Seal of the Royal Arms. Given in this City of São Paulo de Assumpção de Loando, on the 10th of October, 1833.

(Signed) BARON OF SAINT COMBA DOM.

By order of His Excellency,

(Signed) MANOEL ANTONIO JORGE DE CARVALHO E SOUZA.

Registered at folio 181 of the Book of the Secretary of the Government of the Kingdom of Angola, from October, 1833.

(Signed) CARVALHO E SOUZA.

(L. S.) the Royal Arms of Portugal.

No. 99.

His Majesty's Commissioners to Viscount Palmerston.—(Received March 26, 1834.)

MY LORD,

Rio de Janeiro, 27th December, 1833.

HUMBLY but conscientiously convinced as we are of the propriety of the decision of the Court, as reported in our preceding Despatch, we yet cannot but be sensibly alive to the effect which that decision may possibly have, in the first instance, in promoting the importation of slaves into this Country under the Portuguese Flag, though we are not, at the same time, without hopes that, should the Admiral be induced to send the "*Maria da Gloria*" to Sierra Leone, this transient effect may be in a great measure counteracted by the alarm which the certainty of condemnation there will create among the slave dealers.

Still, however, so strongly did this consideration press upon our minds, that to nothing but a sense of the straight-forward duty we were called upon to perform, looking only to that, and not to the result, could it have been brought to yield.

In venturing to assure your Lordship of the assiduity and pains we have taken in the investigation of this Case, with a view more particularly to detect any circumstance which might bring it within our province, we should, perhaps, be almost laying ourselves open to the charge of having evinced an anxiety to fix a Brazilian character on the property in question somewhat inconsistent with our judicial and restricted functions.

We trust, however, that notwithstanding the open and scandalous practice of this cruel traffic, occurring, as it does, under our immediate and almost daily observation, and in defiance of every law and every engagement directed against it, we have not been betrayed into such inconsistency, and that we shall have the satisfaction of finding the course we have followed approved of by your Lordship, as the only one which, consistently with the Instructions we are acting under, could be pursued; the more so as, had the Commission taken cognizance of this Case, and it should have ultimately proved that they had done so without due authority, not only would any proceedings had thereupon have been null and void, but it might not, improbably, have had the effect of causing some embarrassment to His Majesty's

Government, and committing them, in consequence of the Protest of Cordonij, with that of Portugal.

If we have erred, it has been an error the more venial, we would hope, as it was undoubtedly in direct conflict with those sentiments of humanity which we claim to share, in common with the British Nation at large, on this subject; and while the decision affords the best pledge that the Commission will not allow themselves to be carried beyond their due bounds by feelings such as we have alluded to, the mischief, rectified by your Lordship's superior judgment, will be comparatively of short duration.

If, on the contrary, this decision should receive the sanction of higher authority, the *primâ facie* encouragement which the traffic may derive from it will be compensated by the opportunity it will afford your Lordship of bringing this growing evil before the immediate Councils of His Majesty, and of making such arrangements both with this Government and that of Portugal as may be best calculated to meet it.

With a view to this part of the subject it may not be irrelevant to call your Lordship's attention to the Passport given by the Duke de Cadaval to a Portuguese vessel in 1830, forming part of the documents in the Case of the "*Maria da Gloria*," which, on this account, we have sent *in extenso*; as well as that from the Portuguese Governor at Loando. The former is for a voyage from Lisbon to Rio de Janeiro, and from thence to the Coasts of Africa, western or eastern, and back again to Lisbon *by the Ports of Brazil*. The real and main object of such a voyage may be readily presumed.

That the evil is rapidly increasing, and excites considerable apprehension, may well be inferred from a perusal of the very remarkable Circular, recently published by this Government, a Translation of which we have the honour to enclose; and while the repeated but fruitless examinations of suspected vessels which have, in considerable numbers, lately entered this port in ballast, attest the sincerity with which the laws are attempted to be enforced by the Supreme Authorities, they at the same time demonstrate the melancholy fact of their inefficacy and of the frequency and notoriety of their evasion.

In no one instance has conviction followed these investigations. Proof the most positive, short of actually finding Africans on board, has been produced of these vessels, all openly coming from the Coast of Africa, having had cargoes of slaves, and having landed them on the coast; indeed, the very circumstance of their entering in ballast is a strong presumption of the fact, yet they have been allowed to clear out again without further interruption, avowedly with the same destination, and with no less moral certainty of the object of their expedition.

On a late occasion 3 of the slaves came forward themselves to denounce and substantiate the crime that had been committed; but the evidence of slaves not being admissible, and the Criminal Code of this Country declaring, in express terms, that no presumption, however strong, shall be sufficient to cause the infliction of punishment, the information was not followed up.

Among the number of vessels of the above description may be cited the "*Ade-laide*" schooner, mentioned in our Despatch of the 12th November, 1833*, and which we take the earliest opportunity of stating we were wrong in saying had been originally engaged in the traffic, prior to her having been bought by Admiral Baker.

Most, if not all, of these vessels belong to subjects of Portugal, and sail under that Flag, duly furnished with Portuguese Papers and Passports, and are despatched as such by the Authorities of this port.

The final result in the Case of the "*Zephyr*," where the Jury to whom the question was submitted acquitted the Parties of having made an improper use of the licence conceded by His Majesty's Government, and still more the denunciation which has subsequently been preferred against them, of having introduced, under that authority and decision, a greater number of slaves than the licence originally contemplated, shews the pertinacity with which, by every possible means, the importation of Africans is persisted in; and the enclosed Minute, extracted from the evidence of the Captain of the "*Maria da Gloria*," no less manifests the confidence with which they anticipate success.

It will be for the wisdom of His Majesty's advisers to determine the fit remedy for a state of things of which we have been far from making an exaggerated representation. Nothing short of a combined arrangement between the 3 Govern-

* See Class A, No. 78, of 1833.

ments, embracing, in its fullest force and extent, the principle established in the additional Article to the Convention with the Netherlands, can, as it appears to us, reach the evil; for even were it decided that this Mixed Commission has already, or in future shall have, jurisdiction over Portuguese property, vessels, under the circumstances we have described, could only be brought before them by the Brazilian Government. If, then, they should be dealt with, in conformity to the law of 1818, fettered as it is by the Clause above referred to in the Criminal Code, as well as by various provisions of the Constitution, we have already had the honour of explaining how difficult it would be to condemn them; if under that of 1831, your Lordship is fully aware of the destination the slaves would receive, should any be found, and of the release which would follow of the ship and cargo other than slaves.

We have, &c.
(Signed) GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

First Enclosure in No. 99.

(Translation.)

Circular of the Government.

5th December, 1833.

It being a matter of public notoriety, that, in despite of the most positive orders of Government, Africans illicitly imported, pass continually, and in the most scandalous manner, through the district of this city, and that they are bought by the inhabitants thereof, who most criminally keep possession of them in the face even of those very Authorities on whom the law has made it incumbent to watch over this object, the Regency, in the name of Don Pedro II., orders, that, in fulfilment of the wise and politic Legislation now in force, you examine most scrupulously these facts and institute proceedings against the guilty, making it a point of duty to convince the inhabitants of this district, as you ought to be convinced yourselves, that, besides committing a crime by engaging in this traffic, they are preparing and digging a future abyss for themselves and their families, since such Africans, when they shall become civilized, and shall ascertain that they are free, will not fail to make every possible effort to rescue themselves from a state of captivity condemned by the existing laws, without its being possible for those same laws, or for the Government, in such cases, to guarantee to its possessors similar property, nor even to remit the penalties they shall have incurred, the fatal consequences which may result from the continuance of such an abuse being but too easy to conceive.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

The several Justices of the Peace.

Second Enclosure in No. 99.

Minute of the evidence of Cordonij, Master of the "Maria da Gloria," as taken from the proceedings.

HE received the slaves outside the Bar of Loando (they were smuggled); and, as it was his business to promote the interests of the Owner of the vessel, he did so, reckoning on the facility with which many other vessels have brought and landed slaves on the Coast of Brazil; and but for the English vessel which captured him, he should certainly have succeeded equally well.

Their destination was Ilha Grande, or whatever other part of the Coast where a landing could be effected, and the slaves were to be delivered over to whomever should from the land answer his signal.

The slaves were received on freight for the benefit of the Owner of the vessel, and the amount was to be paid to him. The freight was 90 milreis a head.

No. 100.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 2.)

MY LORD,

Rio de Janeiro, 5th January, 1834.

WE have the honour to inform your Lordship, that, since our Half-yearly Report of the 5th July, 1833, 2 vessels have been brought into this Port, with a view to their adjudication by the Mixed British and Brazilian Commission for the abolition of the Slave Trade, viz.—

The brig, "*Paquete do Sul*," under Portuguese colours, detained by Commander Smart, of His Majesty's sloop, "*Satellite*," on the 15th November, 1833; and,

The barque, "*Maria da Gloria*," also under Portuguese colours, detained by Commander Robertson, of His Majesty's sloop, "*Snake*," on the 25th November, 1833.

The latter, being proved to be Portuguese, this Court of Mixed Commission could take no cognizance of. The former is still under consideration.

We have, &c.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

No. 101.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 16.)

MY LORD,

Rio de Janeiro, 30th January, 1834.

THE last Packet sailed while the Case of the "*Paquete do Sul*," the capture of which was reported in our Despatch of the 8th ultimo, was still pending.

The vessel was brought in, your Lordship will recollect, at the same time as the "*Maria da Gloria*;" and though her detention was of a prior date, yet the circumstance of the one having slaves on board, and the other none, determined the Court to proceed, in the first instance, to the consideration of the "*Maria da Gloria*."

Some further delay was occasioned by the intervention of the holidays, and the time required by Sir Michael Seymour, representing the Captor, to adduce evidence of the property being Brazilian.

A certain number of days, we were told by our colleagues, are allowed, to afford parties in this Country an opportunity of appeal. This, we are aware, is contrary to the 8th Article of the Convention of 1817; but we thought it best, all things considered, to make no other objection to the claim than noticing this contrariety, and mention it to your Lordship, especially as it led to nothing; rather in explanation of the tardiness of the proceedings than as calling for any more serious notice.

These proceedings being now finally closed, we have the honour of forwarding herewith the Report of the Case, together with the Sentence of the Court, drawn out in the usual form practised in this Country.

By this Sentence your Lordship will see, that, it having been proved to the satisfaction of both the Commissary Judges, that the "*Paquete do Sul*" had had a cargo of Africans on board, notwithstanding that none were actually found, and that, though sailing under Portuguese colours, and professing to be Portuguese, she was, in fact, chiefly, if not altogether, the property of a Brazilian, Manuel Pereira Mendez, condemnation was passed upon her, and she was declared, as well as her tackle, apparel, and furniture, lawful prize to His Majesty's sloop, "*Satellite*," to be sold by public sale for the profit of the 2 Governments.

We have the greater satisfaction in acquainting your Lordship with the unanimity of the Court on this occasion, because, in the first instance, and even up to the very last moment, the Brazilian Commissary Judge contended, grounding himself on that Article of the Criminal Code referred to in our Despatch of December 27, 1833, which declares that no presumption shall be sufficient to cause the infliction of punishment; that there was not sufficient proof to warrant him in joining in a Sentence of condemnation, in virtue of the additional Articles signed at Lisbon on the 15th March, 1823; the 1st of those Articles not declaring specifically what should constitute "the clear and undeniable proof" required; and that, even if there were, the vessel had been detained under Portuguese colours, was sailing with a Portuguese Passport, and with Papers from the Port Authorities here, recognizing her as Portuguese, and that her Owner was so also, and that consequently, the Commission were bound, as in the Case of the "*Maria da Gloria*," to declare that she did not come within their jurisdiction.

Another difficulty urged by him, as a reason for not concurring in the Sentence of condemnation contended for by the British Commissary Judge, was that Clause of the Constitution, the 20th section of the 179th Article, which forbids, in any case, the confiscation of property, and which he considered, of itself, as abrogating, *pro tanto*, the 1st Article of the Alvará of 1818. On this latter point the British Commissary Judge observed, that he called for the confiscation of this vessel, not in virtue of the Alvará, but of the 7th Article of the Regulations for the Mixed Commissions; and to the first of the other 2 objections, he replied that it ap-

peared to him that the wording of the additional Article in question gave the Court a greater power and latitude than they would have possessed, had the particular objects which should be held to afford the requisite proof been specifically stated; for that by it the decision was left, not to any technical nicety, but solely to the honest conviction of their minds, and that, according to this rule, he thought the evidence before them could leave no doubt of this vessel having had a cargo of slaves on board.

With respect to the alleged national character of the vessel, and the propriety inferred from it of refusing to take cognizance of her, the British Commissary Judge pointed out the wide difference that existed between this Case and the preceding.

In the one, the undeniable Owner was a Portuguese, nor was any other interest whatever discovered to be concerned in it: in this, though the ship's Papers were Portuguese, yet they were evidently fraudulent, and while the ostensible Owner was kept out of the way, so as to make it impossible to discover who or what he really was, a Brazilian subject was proved, if not the real Proprietor, at least to be concerned in the adventure to the extent of more, probably, than the value of the ship, with all its appurtenances.

These arguments were ably enforced in a Paper given in by Sir Michael Seymour, a Translation of which we have the honour to enclose. The result was the Sentence above-mentioned.

In the accompanying "*Correio Official*" of this date your Lordship will find the Report which the Brazilian Commissary Judge addressed to his Government, in transmitting to them the Sentence of the Court, as also the Decree of the Regency in consequence, directing proceedings to be instituted, conformably to the last Law, against the reputed owner, Jozé de Freitas e Oliveira, and certain other individuals whom the Papers before the Court prove to have been also parties interested, but whose nationality could not be ascertained. The Master and Mate had already been sentenced to be committed for trial, according to the same Law, in consequence of an examination had on board by the Judicial Authorities of this city, soon after the arrival of the "*Paquete do Sul*" in the Harbour.

The implied power of the Commission to inflict the penalty of the Brazilian laws on individuals convicted of being concerned in the Slave Trade, which this Paper predicates, is not, perhaps, under present circumstances, very material; but your Lordship will not fail to notice the concluding paragraph of this Report, as illustrative of the apprehensions beginning now to be very generally entertained, by such as look beyond the present moment, with reference to the future consequences which may result from the state of this question as it now presents itself.

We have, &c.

(Signed) GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

First Enclosure in No. 101.

Report of the Case "Paquete do Sul," condemned by the Mixed British and Brazilian Commission at Rio de Janeiro, 14th January, 1834.

THE brig, "*Paquete do Sul*," Francisco Silveira Gualarte Simas, Master, was furnished with a Passport from the Portuguese Consul-General at Rio de Janeiro, dated 23d May, 1833, for a voyage from thence to Monte Video, by way of Benguela, Cabinda, and Ambriz.

The Passport describes the vessel as Portuguese, and to belong to Jozé de Freitas e Oliveira, no foreigner having any share or interest in her; and her Papers further declare her to be unarmed.

The "*Paquete do Sul*" was captured on the 15th November, 1833, by Commander Smart, of His Majesty's sloop, "Satellite," in or about latitude 22° 23' South, longitude 43° 8' West, under Portuguese colours, armed with 1 18-pound long gun and 3 others, having no slaves on board, but provided with shackles and irons for securing male and female slaves.

The Declaration of the Captor further states, that, in consequence of observing a quantity of buckets and other materials floating on the water, he was induced to keep a vigilant look-out, and that this it was which led to the detention of this vessel.

William Russel Drummond, Lieutenant of the capturing ship being sworn, deposed, through the medium of the Interpreter of the Court, to the above particulars, and that the brig, "*Paquete do Sul*" was detained on suspicion of having had slaves on board (in consequence of finding in her, utensils fitted for the traffic) with every presumption of their having been just landed. He further declared that the Papers brought into Court were found by him, some on board at the moment of detention, some since, and that was picked up by him within the harbour, having been thrown overboard.

The Master, Mate, and Pilot, were the witnesses examined in this Case. The former, Francisco Silveira Gualarte Simas, being duly sworn, declared himself to be a Portuguese subject; and that Jozé

Freitas e Oliveira, also a Portuguese subject, was the Owner of the vessel, and that no other person had any interest in it; further, that the last port he left was Ambriz, and that he had gone to the Coast of Africa to purchase ivory, mats, and wax, and was returning by way of Monte Video, having been plundered of his cargo by a Columbian pirate. He denied that any slaves had been received in his vessel, or that any utensils had been thrown overboard, and accounted for the deviation in the course of the brig, the capture having been made close to this Port, by the ignorance of a young man who acted as Pilot; he himself being very ill.

The 2d and 3d witnesses examined were the Pilot, a Brazilian, and the Mate, a Portuguese subject. They, in general, confirmed the above, except that the former stated he had purposely shaped his course as he had done in order the more readily to make Monte Video.

Jozé de Freitas e Oliveira did not appear in person; but, by his Attorney, claimed the "*Paquete do Sul*" as his property, denying that she was engaged in the Slave Trade, and protesting against the competency of the British and Brazilian Commission to take cognizance of the Case, both because, if guilty of any violation of the laws of this Country, it was by them that he should be tried; and also because the property was Portuguese; and requiring either that it should be restored to him fully and freely, or else that the Case should be remitted to Sierra Leone.

The individual, Manuel Pereira Mendez, a Brazilian subject, suspected, from internal evidence found among the ship's Papers, of being the real Owner of this property, having at first kept out of the way, it was not possible for some time to ascertain how far these suspicions were well founded; but the Local Authorities having compelled his attendance, those suspicions were fully realized in the mind of the Court, and Sentence of condemnation on the vessel, and all property found in her, was accordingly passed on the 14th January, 1834, in conformity to the 7th Article of the Regulations for the Mixed Commissions.

Second Enclosure in No. 101.

(Translation.)

Sentence.

Rio de Janeiro, 14th January, 1834.

THE present Process and the documents annexed to it having been seen and examined, it is shown that Manuel Pereira Mendez, a Brazilian subject, residing in this capital, and employed in it as a depository of contraband goods, has an interest in the brig, "*Paquete do Sul*," which proceeded from this Port, with a Portuguese Passport, for Monte Video, calling at the Ports of Benguela, Cabinda, and Ambriz. The document in folio 27, acknowledged by him as his writing and signature, is the Declaration which he makes of having an interest of 3 contos of reis in the said brig, and of making over an interest of 1 conto, 340 milreis, part of that sum, out of the profits to arise from the business to which it was destined, to Joaquim Jozé Meira, who is said to be a Portuguese. The document in folio 28, is an Invoice of goods laden by the same person for the enterprise, signed by Mendez and Company, and by him acknowledged to be his own signature, and amounting to 7 contos 946 mil., 532 reis, besides the amount of the articles shipped for consumption on the voyage, all these proofs being confirmed by the Letter of Orders in folio 30, addressed by him on the 30th May, 1833, to the Master of the vessel. It is shown, in like manner, that the vessel was bound to the Ports of Africa, on a slaving voyage, whence she brought slaves and landed them, probably near the Ilha Raza, not only as there were found on board, in the act of being visited and detained by the Officers of the English corvette, "Satellite," irons proper for that traffic, such as collars, shackles, &c., but also buckets for the food of the slaves, large boilers, and a quantity of vessels which the Officers referred to, certify, were thrown into the sea, while they were nearing the brig. Considering, therefore, facts so conclusive, which, if unconnected, might be in some measure opposed or called in question, but which, collectively, constitute a very evident and clear proof; more particularly when they (the facts) are not overthrown by the deposition itself of the aforesaid Mendez, inasmuch as the denial to which he had recourse, that he had no interest in the brig in question or in her cargo, and that he had given the 3 contos of reis only for the purchase of ivory, wax, and other articles, as also that he had lent himself to the purchase of goods at the request of the Captain and of the Mate, besides being undeserving of credit, the Letter of Orders, in which he positively refers to the shipment of the goods, proves most clearly that they are for his account; and that, if he be not the real Owner of the brig, he has at least the interest above-mentioned, inasmuch as the orders in respect to her voyage and destination can never be considered as given by any other than the real Owner, particularly as no other orders are found addressed by Jozé de Freitas e Oliveira, the asserted Owner of the brig, which even leads to the belief that that person was no other than a man of straw for the putting her under the Portuguese Flag, in order to elude in that way the existing Treaty between this Empire and Great Britain. The fact of there being on board irons and other articles referred to, as well as some pieces of cannon and hand-weapons, notwithstanding the assertion in the Passport from the Portuguese Consulate that the vessel carried no such things, are more than strong indications, constituting proof, that the brig had brought slaves, and that she landed them in the vicinity of Ilha Raza, where she was captured; there is reason to believe, by the finding on board of fresh meat and vegetables, the subterfuge to which the witnesses have recourse, that there were no boilers on board being undeserving of credit or consideration, seeing that they were thrown into the sea, and that the irons were part of the appurtenances of the brig when she was purchased, it being inadmissible that the Master and the Owner should keep on board such articles, which might endanger them, after the abolition of the traffic in slaves, if they were not positively intended for their confinement; adding to all these weighty circumstances that there was no cargo on board of the brig, though on the other hand, she had taken in goods alone to the value of 7,946 mil, 532 reis, inasmuch as the robbery made by the Columbian privateer, to which the witnesses have recourse in order to shew that the brig was bringing ivory, wax, and other articles, is, in like manner, not to be credited; 1st, because there is no note of such occurrence in the Log, as is always the practice observed, notwithstanding the Master's alleging that this happened in consequence of his illness and of the Second Mate's not knowing that such was the custom, inasmuch as such an account is kept by him of all occurrences on the voyage from this Port to the Coast of Africa; 2dly, inasmuch as there is not found, among the Papers, the Protest against that robbery which the Mate and the Second Mate affirm in their depositions to have been drawn up, and which, if it had existed, the Captain, as a party interested, would certainly not have omitted to present. Wherefore,

considering the stipulations of the existing Treaties and Conventions, the undersigned Commissary Judges declare the above-mentioned Manuel Pereira Mendez, a subject of Brazil, liable to the 1st Article of the Treaty of the 23d November, 1826, and they deem lawful the detention and capture of the brig, "*Paquete do Sul*," by the English corvette-of-war, "*Satellite*," Robert Smart, Commander, to the extent of the share constituting the interest of the said Mendez therein, in conformity with the 1st Article of the Articles of the 15th March, 1823, in addition to the Convention of the 28th July, 1817, being subject to the provisions of the 7th Article of the Regulations of the Mixed Commissions, before which is to be finally effected the division and the delivery of the net proceeds of the said brig.

(Signed)

GEORGE JACKSON.

JOAO CARNEIRO DE CAMPOS.

Third Enclosure in No. 101.

(Translation.)

The British Commander-in-chief to the Mixed Commission.

ADMIRAL Sir Michael Seymour, Baronet, Commander-in-chief of His Britannic Majesty's Naval Forces stationed on the Coast of Brazil, and in the name of Captain Robert Smart and the crew of the corvette, "*Satellite*," in support of his right in the proceedings regarding the prize, "*Paquete do Sul*," captured by the said corvette, represents as follows:—

By the 2d and 3d Articles of the Treaty entered into between Brazil and Great Britain, on the 23d November, 1826, for the abolition and regulation of the Slave Trade, it was stipulated and agreed that the 2 High Contracting Parties adopted and renewed, as effectually as if the same were transcribed, word for word, all the Articles and provisions of the Treaties concluded between His Britannic Majesty and the King of Portugal on this subject, on the 22d of January, 1815, and 28th July, 1817, and the several explanatory Articles which have been added to the said Treaties.

On the 15th of March, 1823, 2 explanatory Articles, in addition to the said Treaties, were signed at Lisbon, by which it was stipulated, that "if there be clear and undeniable proof that one or more slaves of either sex had been taken on board of a ship, for the purpose of illegal traffic, during the voyage on which the said ship should be taken, then, and for this reason (according to the true intent and meaning of the stipulations of the aforesaid Convention), such ship shall be detained by the cruisers, and finally condemned by the Commissioners."

Based upon these additional Articles, the capture of the "*Paquete de Sul*" was made; for, although no slaves were found on board, still, according to the declaration of the witnesses that the people of the prize threw overboard buckets and large kettles suitable for the use and cooking for slaves, and there having been found on board manacles and other irons, some of them having been recently cut with a chisel or other sharp-cutting instrument, are indications sufficiently strong to authorise the capture, and are equivalent to that proof which the additional Articles require.

Yes, these indications are now changed into clear and undeniable facts, proved by the documents existing in the process, that is, that the voyage of the prize was intended for the traffic in slaves, and that there were slaves on board during the voyage. By the document No. 16, it is seen that a person of the name of Brett sent to the Master of the prize on the 26th August, 1833, when she was on the Coast of Africa, 120 slaves, and, by the document, No. 17, which is the Inventory of the effects of Manuel Alves, who died in Ambriz, on the 7th August, 1833, mention is made of 4 slaves, who were shipped on board the "*Paquete do Sul*," which slaves formed part of the effects of the said Manuel Alves, deceased.

It is true that we know, from the depositions of the Master and crew of the prize, that the object of the voyage was not to traffic in slaves, as they allege that the cargo on the return-voyage consisted of wax, ivory, and mats, of which they were robbed by a Columbian privateer—but who does not perceive the falsity of such a story? The falsehood of such assertions is evident from all the documents and other proof in the process, and even from what the Master and men declare, who are not agreed in their depositions (some declaring that the robbery took place in the morning, and others in the afternoon of days of October.) Besides this, there is not any document to prove the purchase or shipment of such articles—there is no Cargo-book, nor Manifest, nor Bill of Lading, nor Invoice of any such shipment, neither is there any mention made thereof, nor of the subsequent robbery, in the ship's Journal; in fine, there is no document, protest, or any other paper, to prove the occurrence of that robbery.

And, although according to the 36th Article of the Criminal Code, it is established that presumptions, however strong, do not authorise the imposition of punishment, yet that Article cannot by any means contravene what has been said;—1st, because, in the present Case, there do not exist simply presumptions, to which the 36th Article refers, but there are strong indications of guilt. There is a great difference between presumptions and indications. Indication means the sign or trace which leads to the belief of the existence and truth of some circumstance, whilst presumption (the word used in the said 36th Article of the Criminal Code) is defined to mean conjectural opinion without certainty or evidence. Thus, seeing a man armed with fire-arms, it may be presumed that he intends to commit a criminal act. But indication is more graduated, it implies a greater degree of certainty. If we see a dead person having all the usual appearances of having been poisoned, we immediately conclude by indication that the person was poisoned.

In the 2nd place, the 308th Article of the Criminal Code determines that the same does not comprehend the crimes of responsibility of the Ministers and Counsellors of State, nor crimes purely military, nor finally, commercial crimes, and therefore piracy being a crime classified under those of a commercial nature, and more especially, the crime of trafficking in slaves, it is to be concluded that the 36th Article of the Criminal Code cannot apply to the present Case.

In the 3d place, the Treaties between free and independent States, as well as the penalties reciprocally stipulated by them, cannot enter into the class of crimes which any particular Nation punishes in its own subjects by its Private Code. Public and universal law is the only Code which decides the question, and therefore, according to that law, the application of Article 36 of the Criminal Code ought to be considered foreign to the present Case.

The Treaty between Great Britain and Brazil, with the additional Articles, created a Mixed Commission for the decision of the infractions of the same Treaty; therefore that Commission cannot depart from the forms marked out for it upon its creation, and it is to be wondered at that the Commission, proceeding in the organization of such processes as the present, in direct opposition to the forms prescribed by the general law of this Country, should admit into their decisions the quirk of law found in the General Code, with manifest contradiction to reason and common sense, which do not admit of the contradictory and simultaneous principle of disallowing forms of process, and at the same time approving of forms of the same general process which have been disallowed.

Besides, if a Treaty between Nations establishes among themselves a Private Code, from which it is not lawful for any of the Nations to recede without the consent of the other, at any rate unless it were with the view of hostilities, it would be repugnant to reason to refer to the general rules of the General Code of one Nation, or its forms, the decision of a question specially provided for by the Treaty. This would amount to a violation of the Treaty, and would be equivalent to the paradox of admitting that one Nation could of its own accord alter the Treaty without the consent of the other, and even contrary to its inclination.

Finally, by the 11th Section of the 179th Article of the Constitution, it is determined that no person can be condemned but by the competent Authority. From this, the following corollaries are to be deduced. Either that the Commission is not a competent tribunal, because no mention of it is made in the general laws of Brazil, and consequently, that every thing it has done, or is doing, is null, or that it is competent.

If it be competent (of which there can be no doubt, because such creations are necessary emanations from the right that Sovereigns have to make Treaties with Foreign Powers), no doubt can be entertained but that the line of conduct to be pursued by it, in its decisions, cannot be other than that peculiarly and distinctly fixed by Treaty; that line of conduct has no reference to general laws: it forms a body ("*corpo*") of itself, and therefore the Commission cannot attend to any thing but to what is stipulated in the Instructions which were issued upon its creation. Every thing which it does in opposition to this is a scandalous arbitrary act, against which, and every thing which the Commission may do contrary to the Instructions, the Admiral solemnly protests, and requests that his Protest be registered.

The ship is reputed to be Portuguese, and to belong to Jozé de Freitas e Oliveira; but it is notorious that, previous to the present voyage, she belonged to one Lobo, a Brazilian, residing in this city, who made a simulated sale of her in the month of May last, and changed her name.

Independently, however, of the documents merely Consular, which appear in the process in proof of the property of the ship being vested in the reputed Owner, Jozé de Freitas e Oliveira, we have, at folio 27, a document which clearly proves that Manuel Pereira Mendez, an adopted Brazilian, residing in the street called Rua da Praynha, is interested in the said brig to the amount of 3 contos of reis. This document is signed by Mendez, and he, being interrogated by the Commissioners, admitted his signature. This document runs thus: "I, the Undersigned, say, that, of the part which belongs to me of the interest I have in the brig, '*Paquete do Sul*,' amounting to 3 contos of reis, I give an interest in the profits, &c." Mendez, in his deposition, denies having any interest in the brig, but the document proves the contrary. It is also clear that the said Mendez has an interest in the cargo, which is also proved by the documents at folio 28, 30, and 31, signed Mendez and Co., which signature Mendez acknowledges to be his; and he says that there is no partnership, but that he signed these documents, "Mendez and Co.," by the advice of the Master and Mate of the ship. The first of these documents is the Invoice of the goods shipped for the voyage, amounting to 7,946 mil, 532 reis: the document at folio 31 is the account of provisions for the ship, amounting to 1,879 mil, 700 reis, and, consequently, so far as the amount of these sums extends, he is interested in the cargo. Besides this, by the document at folio 30, the same Mendez and Co. give instructions to the Master respecting the ship and his conduct on the Coast of Africa, in the same manner as any other ship-owner would give his orders to a Master of a ship of his.

From all this evidence it is indubitable, that Mendez is interested in the ship and cargo, and therefore that the adventure is not Portuguese, as they wish may be believed, but, in fact, Brazilian, and as such ought to be sentenced ("*juzgado*") by the Mixed Commission, agreeably to the Treaty with Brazil, dated the 23d November, 1826, and the additional Articles to the Conventions with the King of Portugal, which are adopted by the said Treaty.

In proof of the nationality of Mendez, we annex an Attestation of the Inspector of the District in which he resides, setting forth that he is a lawfully adopted Brazilian.

The result of this exposition proves—1st, that Mendez being interested in the ship and cargo, the Mixed Commission of this City ought to decide the Case, as being Brazilian; 2d, that the Instructions issued on the institution of the Commission are those which alone are to be attended to in the decision of the question.

The present arguments constitute such strong grounds as cannot but be expected to excite the attention and settle the mind of the Judges.

(Signed)

For the Captor, MICHAEL SEYMOUR,
Rear-Admiral.

Fourth Enclosure in No. 101.

Translation from the "Correio Official," Rio de Janeiro, 30th January, 1834.

MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

Rio de Janeiro, 16th January, 1834.

I HAVE the honour to lay before your Excellency the enclosed Copy of a Sentence which the Mixed Commission, in regard to the traffic in slaves, have just pronounced upon the Portuguese brig, "*Paquete do Sul*," detained by the English corvette-of-war, "*Satellite*," on suspicion of having brought and landed slaves in Brazil; and it having been proved that Manuel Pereira Mendez, a Brazilian subject, is interested in the same brig.

In addition to the Process, there is another drawn up by the Justice of Peace of the Parish of Santa Rita, by order from the Office of the Secretary of State for affairs of Justice, on board the same brig,

and in which is found a Sentence of imprisonment and committal against the Captain and Mate of the same; and as the Commission, in virtue of the Instructions serving as its guide, and of the existing Treaties, deemed itself authorized to take cognizance only of the part of the interest appertaining to a Brazilian subject, and as it does not appear just that the other persons interested in this inhuman traffic should remain unpunished, I think it my duty to submit to your Excellency that, besides those 2 individuals, the penalties of the law lately promulgated by the General Assembly, apply also to Jozé de Freitas e Oliveira, who calls himself a Portuguese, and appears as such in the Passport of the Owner of the aforesaid brig, and to Joaquim Jozé Meira, partner of Mendez, likewise a Portuguese. The former is said to be in this city, and to be living in the Rua do Ouvidor, and the latter is known to have disappeared from the Hospital, to which he had come from the brig to be cured.

There is also among the Papers, taken on board in the act of the detention, a Letter written by Jozé Antonio dos Santos e Arango, of this city, to the same Freitas, announcing the shipment of some Spanish dollars and barrels of gunpowder, in order that the proceeds might be invested in slaves, to be brought, on the return of the brig in question, to this place; and as the Commission took no cognizance of that individual, inasmuch as he could not be found, and that his national character could not be ascertained, it is fit that the ordinary tribunals should do it, so that the impunity of him and others should not give greater encouragement to those engaged in such a barbarous commerce, and to the continuation of the abuse of putting the vessels intended for it under the Portuguese Flag, in order to exempt them from the provisions of the Treaties existing between this Empire and Great Britain—an abuse which certainly requires the greatest vigilance on the part of the Government, on account of the lamentable consequences which may in future ensue from the continued importation of Africans into Brazil, when once declared free, and that, knowing the law, they proceed to claim the rights which the law guarantees to them among many others subjected to perpetual slavery.

God preserve your Excellency.

(Signed)

JOÃO CARNEIRO DE CAMPOS.

Bento da Silva Lisboa, Minister for Foreign Affairs.

Fifth Enclosure in No. 101.

The Brazilian Minister for Foreign Affairs to the Justice of the Peace of Santa Rita.

Department of Justice, Palace, 23d January, 1834.

THE Regency, in the name of the Emperor Don Pedro II., orders to be sent to you the enclosed Copy of a Despatch from the Brazilian Commissary Judge of the Mixed Commission, in respect to the traffic in slaves, together with the annexed Copy of the Sentence which that Commission pronounced on the Portuguese brig, "*Paquete do Sul*," in order that you may proceed, in conformity with the statement of the said Commissary Judge, and as the law requires, against the individuals interested in the traffic in slaves, in which that vessel was engaged, and of whom the Commission did not take cognizance, by reason of their being foreigners, observing that the Records of this Process remain with the same Commission, to which you will apply for the documents which may be requisite for the due performance of what is incumbent upon you in conformity with the last law.

God preserve you.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

The Justice of the Peace of the First District of the Parish of Santa Rita.

No. 102.

His Majesty's Commissioners to Viscount Palmerston.—(Received May 16.)

MY LORD,

Rio de Janeiro, 12th February, 1834.

A DESPATCH from the Chief of Police to the Principal Officer of the Customs, relative to the continued importation of Africans, having been published in the "*Correio Official*" of yesterday's date, we deem it our duty to transmit a Translation of the same.

On the one hand, your Lordship will observe with regret, from the contents of this Despatch, the avowed continuance of the traffic; while, on the other, it will afford you some satisfaction to notice the further steps taken by the higher Authorities here to put a stop to it.

We have, &c.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 102.

The Chief of Police to the Principal Officer of the Customs.

(Translation.)

Rio de Janeiro, 27th December, 1833.

THE situation you hold making it your duty to visit the vessels which enter this port, and the infamous traffic in slaves which continues in spite of our laws giving great scandal, I have to desire

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that you will declare the detention of all such vessels as may appear to you suspicious, giving immediate information of the same to me, or to the Justice of the Peace within whose district the anchorage-ground may be, in order to a due examination of the circumstances; being well assured that, by thus aiding the visits of the Police, you will be rendering a great service to the Nation.

(Signed) EUSEBIO DE QUEIROZ COUTINHO MATTOSO DA CAMARA.

Chief of Police.

The Principal Officer of the Customs.

No. 103.

His Majesty's Commissioners to Viscount Palmerston.—(Received June 5.)

MY LORD,

Rio de Janeiro, 26th March, 1834.

A SOCIETY existing here, under the title of Defenders of the National Liberty and Independence, has recently offered a premium of 400 milreis for the best Treatise on the Slave Trade, upon the following basis:—

1st. To demonstrate the odium of the traffic, refuting the sophisms with which its apologists are wont to defend it.

2d. To examine the means by which a substitute can best be provided for the introduction of African slaves—whether by sending for colonists on account of individuals, or by the admission of such machinery as may simplify and accelerate the progress of agriculture and the working of the mines, or by ameliorating the condition of the slaves already existing, or by endeavouring indirectly to remove them from the cities into the country.

3d. To notice, in detail, the advantages of free over compulsory labour.

4th. And finally, to point out the baneful influence which the introduction of African slaves exercises on the habits, the civilization, and the liberty of the country.

At the same time they addressed to the Emperor a Representation, of which we have the honour to forward the enclosed translated Extract, from which, as well as from the Communication made by the Minister of Justice to his colleagues, a Translation of which is also herewith annexed, your Lordship will judge of the influential character of this Society, which has ramifications in various other provinces, and of the probable spirit in which the subject is likely to be proposed and discussed in the ensuing Session of the Chambers.

The publication of the above Papers has been followed by 2 Articles, from which, as shewing the feeling which is beginning to prevail on this subject, and the attention which it excites, we think it right also to subjoin Extracts. The one is from the pen of the Editor of the "*Aurora Fluminense*," a Deputy and First Secretary to the Society, the other from a daily Paper lately set up in this city.

They both go very minutely and accurately into the subject; but we fear your Lordship will be of opinion, with us, after perusing the contents of our next Number, that, notwithstanding the zeal and sound principles which these productions indicate, and which, if generally shared, might promise better things, little hope of any real change can be entertained so long as this country remains in its present state, and that every sacrifice which could be made in the cause of humanity with a view to any improvement in this respect would be in vain.

The abuse of the Portuguese Flag, referred to in each of these Articles, continues. Vessels are constantly entering in ballast from the Coast of Africa, giving out that they have been very unhealthy, and have lost several of the crew. Among the deaths is almost always enumerated the Mate or Pilot—in other words, those individuals more particularly charged with the disembarkation of the negroes along the coast. Cases of this kind happen daily, and are generally followed by visits and examinations on the part of the different Port Authorities, the mention of which appears regularly in the official Paper; but, for the reasons so well known to your Lordship, we can cite no one instance in which they have led to any further result.

We have, &c.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 103.

(Translation.)

*Requisition of the "Defenders of the National Liberty and Independence of Rio de Janeiro."**Rio de Janeiro, 16th February, 1834.*

THE Society, anxious to accomplish, as far as lies in their power, the removal of the obstacles which opposed themselves to our prosperity, to the increase of civilization, to the amelioration of our habits, and to liberty, cannot view without horror the abuse with which the neglect or the immorality and corruption of the Authorities and subaltern Agents of the Government have allowed the shameful traffic in human flesh to be continued, by the importation of slaves from the Coast of Africa, in despite of the Treaty of the 26th November, 1826, and the Law of the 7th November, 1831. Our honour, as a civilized Nation, our happiness and our progress as a free State, call for measures on the part of the Government of your Imperial Majesty.

It is notorious, Sire, that, all along the coast of this Province, hundreds and hundreds of wretched Africans, imported by contraband, are daily landed, who are received in deposit on the neighbouring estates, and that some of the Local Authorities in these districts, conniving at so shameful a crime, share the profit and the infamy.

The penalty of piracy which, in the Treaty, is denounced only against Brazilian subjects, not embracing equally the Portuguese, these latter, or even, for our shame, Brazilians, covering their vessels with the Lusitanian Flag, fearlessly give themselves up to this odious traffic. All such vessels engaged in it are Portuguese property, or pretend to be so; nor have the Agents of this Nation, up to this day, shown the least desire to put any obstacle in the way of similar abuse.

As, however, the Government of Your Majesty is authorized by law to impose fines on ships, the Society presumes to point out how expedient it would be to lay a heavy caution or fine on all vessels sailing for the Coast of Africa, and in the habit of entering here in ballast, in order that, whenever it shall be ascertained that they have been trafficking in slaves, the amount may be immediately forfeited. It also appears absolutely necessary that repeating signal-boats should be stationed along the coast which may inform the Government of those places and estates which serve as depôts for so baneful a contraband, in order to carry into execution the prudent law of the 7th November, 1831.

Other precautionary and preventive measures might still be added, the which will assuredly not escape the enlightened views of Your Imperial Majesty's Ministers, the principle of which is to give activity and efficiency to our cruisers on the coast.

Second Enclosure in No. 103.

The Minister for Foreign Affairs to the Minister of Marine.

(Translation.)

MOST ILLUSTRIOUS AND EXCELLENT SIR;

Rio de Janeiro, 3d March, 1834.

I TRANSMIT to your Excellency the enclosed representation from the Society entitled, "*Defenders of the National Liberty and Independence of Rio de Janeiro*," proposing certain precautionary steps which they deem advisable for stopping the continuance of the traffic in slaves, in order that your Excellency may give it that consideration which it may deserve, with reference to that part which relates to the measure proposed for the adoption of the Marine Department, while, as regards that of Justice, such have been already taken, as are within the competency of the Government, who, recognizing the inefficacy of the actual legislation on this subject, have appointed a Commission to propose the most effectual means of prohibiting this commerce, which experience has proved to be not entirely put a stop to by existing laws, which, besides being insufficient, meet with many whose duty it is to execute them interested in their daily violation.

God preserve Your Excellency.

(Signed) AURELIANO DE SOUZA E OLIVEIRO COUTINHO.

N. B. A similar Communication was made to the Finance Minister.

Third Enclosure in No. 103.

(Translation.)

Extract from the "Aurora Fluminense," Rio de Janeiro, 10th March, 1834.

THE attention and the patriotism of the "*Sociedade Defensora*" were awakened to this subject by seeing the scandalous manner in which wretched Africans, torn from their native country, to make the misery of ours, are every day disembarked on our shores.

Agriculturists, Merchants, Justices of the Peace, and other subaltern Authorities, are accused of being engaged in, or of encouraging this traffic in human flesh, and public opinion has not yet fixed on this species of crime the stamp of shame. This does not surprise us: for many years Wilberforce, and other philanthropists, enemies of the African Slave Trade, strove to introduce their ideas—those of reason and of justice—into the enlightened Parliament of Great Britain, and only after a thousand reiterated efforts did they obtain the victory. The "*Sociedade Defensora*" believed that the principal means to be employed to accomplish the effectual abolition of the traffic was persuasion, and that much will have been done, if the prejudice favourable to the introduction of slaves into Brazil should give way to more salutary and judicious ideas on this subject. This does not preclude the use of administrative measures, and the due execution of those penal laws which, unhappily, have been, up to this day, a dead letter. The trafficker in human flesh—the introducer of barbarism in the midst of our retarded civilization—the contraband in men is certain of impunity; and, on the other hand, the enormous profit holds out allurements to the commission of the fraud. To avoid the penalty of piracy, the Portuguese Flag is at hand to lend itself to all the infamous tricks necessary for this commerce, and our country is inundated, without measure, by a rude and stupid race, the number of whom already existing ought to alarm us.

We will not here go into the detail of the sufferings of these unhappy creatures in their passage

from Africa to Brazil, piled up, like bales of goods, one upon another, nor into those atrocities of which some are the victims even within our own refined capital.

The introduction of African slaves, laying aside other considerations of policy, is hurtful in the extreme to our civilization, to our habits, and to our liberty. How can any improvement take place among the Africans living among us, if at every hour fresh reinforcements arrive to keep up among them the remembrance of their customs, their faults, their prejudices, and to "Africanize" even the Creoles with whom these unfortunate recruits of slavery are mingled for all the ordinary services of life? Who will deny, that intercourse with this rude and dissolute race carries into the very centre of families the seeds of corruption; that the habit of having one slightest caprice obeyed—of having a human being ready to serve us for every purpose—inclines us to pride and prejudice, and to the contempt and neglect of the useful arts? In this point of view, the fatal present of African slaves was a curse on our land, which has retarded the real prosperity of a highly favoured country—debasement that industry which gives life to every thing, and without which neither riches, nor social happiness, can exist. And yet barrels of gunpowder continue to be thrown, without any scruple, into this threatening mine of African slavery. No one to this day ever doubted the superior advantage of free labour over that of slaves. To suppose that a free man cannot perform certain kinds of labour in Brazil, is to raise into a general and absolute principle that which depends on the very existence of slavery, and which would disappear progressively with it.

But we by no means say that the use of slaves should be done away with all at once: it would be madness to propose so sudden a change; but let us take the first steps towards it, preventing by every means the traffic in them—ameliorating the condition of those already existing—removing them from the towns into the country, where they might become serfs, attached to the soil—instituting associations for the introduction of free colonists, and substituting the employment of machinery.

Fourth Enclosure in No. 103.

Extract from a Daily Paper.

(Translation.)

Rio de Janeiro, 3d March, 1834.

IN despite of the penalties denounced against traffickers in human flesh—in despite of the vigilance of the British cruisers—the barbarous and inhuman traffic in African slaves still continues—no longer, indeed, clandestinely, but openly, covered with the Flag of a friendly Nation. Availing themselves of this facility, numerous vessels have dared to despise the cruisers, and to come to this side of the Atlantic with their cargoes, which are so many barrels of gunpowder thrown into a mine. No matter that they run the risk of being treated as pirates; these infringers of the laws daringly make certain points of our extensive coast, reckoning either on the absence of the cruisers, or the neglect or connivance of certain Local Authorities, who, as is collected from official documents, published in the Papers both of this Capital and of the Provinces, are interested in this infamous contraband, thus making themselves the violators of those laws which they ought to be the first to execute. It is afflicting to the heart of the true friends of Brazil, concerned for the glory and prosperity of the country, to see, that, at the moment when other civilised Nations exert themselves to extirpate this gnawing cancer, either restoring the rights of men to these unhappy beings, or colonizing them on the African Coast, there should exist among us men so inhuman, and such rebels to the laws, as to employ their funds in a speculation as infamous as it is hazardous. Unfortunately, all the Treaties and our laws in favour of what is held most sacred, have failed: in spite of the zeal of philanthropic societies and of the influence of the British Government, unfortunately there still exist those who exhaust the art of sophistry to justify the commerce in human flesh.

No. 104.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to you, for your information, 5 Copies of Papers, marked A and B, relating to the Slave Trade, which have this day been presented by His Majesty's command to both Houses of Parliament.

I am, &c.

(Signed) PALMERSTON.

His Majesty's Commissioners,
 &c. &c. &c.

No. 105.

His Majesty's Commissioners to Viscount Palmerston.—(Received July 18.)

MY LORD, *Rio de Janeiro, 22d April, 1834.*

YOUR Lordship will recollect that, in our Despatch of the 26th December last year*, we stated that a Warrant had been issued for the apprehension of the Owner of the barque, "*Maria da Gloria*," Jozé Anastacio Ribeiro. This Warrant, however, remained for a long time a dead letter, and Ribeiro was seen walking about the streets with equal effrontery and impunity. But, it appearing from

* See No. 98.

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various examinations had in regard to other vessels which, since the capture of the "*Maria da Gloria*," have entered this port in ballast, and otherwise affording the strongest indications of their having landed slaves along the coast, that this same individual was also concerned in them, an order was issued for his leaving the Empire within 15 days.

This order appears in the Number of the "*Aurora Fluminense*," of which we have made the enclosed Translation, and which Paper we select, in preference, as the channel of transmission for the above document, both because the measure itself was originally suggested and advocated by the Editor of that Journal, (thus affording another instance of the influence exercised by the "*Sociedade Defensora*," of which it is the organ,) and because it is accompanied by some remarks which may not be unworthy of your Lordship's notice.

We have, &c.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 105.

Translation from the "*Aurora Fluminense*," 18th April, 1834.

The Minister for Foreign Affairs to the Chief of Police.

Palace, 9th April, 1834.

It being ascertained that the Portuguese, Anastacio Jozé Ribeiro, Owner of the barque, "*Maria da Gloria*," taken by the English cruiser, for having 426 Africans on board, is also Proprietor of other vessels which have arrived with similar cargoes, and disembarked them on different parts of the coast of this Province, and it being expedient to put a stop to so scandalous an abuse, removing as soon as possible from this Empire a foreigner who has, up to this time, succeeded in eluding the laws, engaging in a contraband which, besides being barbarous and opposed to the free institutions which Brazil is in the enjoyment of, is so pernicious also to the same, the Regency is pleased, in the name of the Emperor Don Pedro II., to order you to notify to the aforesaid Anastacio Jozé Ribeiro, that he is required to take out his Passport, and that he is to withdraw from Brazil within 15 days, at the end of which, if he has not obeyed this Resolution, you will cause him to be taken into custody, in order to his being sent out of the country in the first vessel which may offer.

God preserve, &c.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

To the Chief of the Police.

This is another act of justice which does honour to the Government of Brazil. A stranger abusing the hospitality he received in our country, employs his capital and his industry in bringing hither Africans to be kept in an unjust state of slavery, and thus augments the number of these dangerous unfortunates, violating the rights of humanity for the sake of vile lucre. Owing to the neglect or the connivance of some of our Magistrates, this and other contraband dealers in slaves have gone unpunished, insulting, by their continued presence in our streets, the Laws which they trample under foot, and the dignity of the country they inhabit. If the Government had longer tolerated this, after the principle they have laid down in respect to foreigners, they would to a certain degree become accomplices in the crime, and would even be considered as abetting so infamous a commerce. But the example is given; and other Portuguese engaged in this odious traffic may now depend on being treated in the same manner, if they do not refrain from such unworthy conduct.

It was not sufficient that for ages the Portuguese Flag was the standard of our colonial degradation—that since that, for 12 years, the Court being transferred to Brazil, it continued to be the signal of the preference given on all occasions over Brazilians to the natives of the ancient metropolis—it was still necessary that this same Flag should come hither to cover transactions shameful in their nature, and menacing our internal peace by their probable consequences. The Government should by no means allow this, and considering it is not within their competence to punish those unworthy importers who call themselves Brazilians, have recourse to the discretionary power given them, with respect to foreigners, for the good of the country they are called upon to administer, and to afford a certain proof that it is contrary to their intention and will that the traffic in human flesh should be persisted in after the severe laws which prohibit it.

We are informed, also, that the Senhor Anastacio, from the very moment of the independence of Brazil, shewed himself her declared enemy at Bahia, and that he retired thence with General Madeira, conscious of the mischief he had done, and apprehensive of the due reward of his good deeds.

It is not to be wondered at that such a man should come here to embark in the commerce of Africans: it is a new way of waging war against Brazil which the ex-soldier of Madeira availed himself of. We have no wish for such industry among us; and let those who make so infamous a use of their money carry it away with them and welcome. The civilization, and consequently the riches, of the country will gain by it.

No. 106.

His Majesty's Commissioners to Viscount Palmerston.—(Received August 5.)

MY LORD,

Rio de Janeiro, 5th June, 1834.

It appearing, by a Despatch, published officially, that a small vessel, called "*the 2d March*," had been taken and brought into port by a Brazilian sloop-of-

war, and that the documents connected therewith had been transmitted by the Minister of Marine to the Department of Justice, in order to the institution of proceedings against her, according to Law, we took an opportunity of mentioning the subject to the Brazilian Commissary Judge, when he informed us that such proceedings were in progress, and that he presumed the reason why the Case had not been submitted to the Mixed Commission was, that the vessel in question had been taken under Portuguese colours, those of Donna Maria II.

However probable it may be that, though taken under these colours, this property would prove, on a close investigation, to be Brazilian, yet, in the present state of the question, and after the late decision respecting the "*Maria da Gloria*," it seemed to us most advisable to rest satisfied with this reply: the inquiry we thought it our duty to make being a sufficient intimation of the course which we conceive should be taken with reference to any capture made by Brazilian ships-of-war, of property belonging to subjects of this Empire. We shall not fail, however, to make His Majesty's Minister at this Court acquainted with the circumstance.

At the first moment of the capture of "*the 2d March*," which happened off St. Sebastian, it was thought to be made only on suspicion; but the Brazilian Commissary Judge informed us that he understood that, since she was taken possession of, slaves had actually been found on board.

We have, &c.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

No. 107.

His Majesty's Commissioners to Viscount Palmerston.—(Received September 8.)

MY LORD,

Rio de Janeiro, 26th June, 1834.

A SECOND slave-vessel having been taken by a Brazilian ship-of-war, since the capture of the "*Dois de Marco*," referred to in our Despatch of the 5th instant, and no intention appearing of bringing her before the Mixed Commission, we felt it to be our duty to write an official Letter to His Majesty's Minister at this Court on the subject; a Copy of which we have the honour to enclose herewith.

[The result of this representation your Lordship will best learn from Mr. Fox, in addition to which it affords us great satisfaction to state, that we have ourselves seen the Instructions issued by the Department of Justice, ordering that all Captures made by Brazilian men-of-war, of vessels suspected to be engaged in the Slave Trade, shall be immediately consigned to the Mixed British and Brazilian Commission, according to the stipulations of the Treaty; and further that, if eventually liberated by that Tribunal, they shall be proceeded against under the ordinary Laws of this Country.]

We have, &c.

(Signed)

GEORGE JACKSON,
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

Enclosure in No. 107.

His Majesty's Commissioners to Mr. Fox.

SIR,

Rio de Janeiro, 14th June, 1834.

Our functions being purely judicial, and, strictly speaking, commencing only when a Case is actually brought before this Court, the step we are now taking may, perhaps, seem to carry us somewhat beyond their sphere. But, observing the report of the capture of 2 vessels engaged, or suspected to be engaged, in the traffic in slaves, by Brazilian ships-of-war, viz., the "*Dois de Marco*," said to have been taken off St. Sebastian, and the "*Santo Antonio*," off Ilha Grande, and that this Government are proceeding against them, according to their Law of the 7th November, 1831; instead of bringing these Cases before the Mixed British and Brazilian Commission, we yet think it incumbent on us to mention the subject to you, and to call your attention to those stipulations in the engagements existing between the 2 Governments, by which it is declared "that all vessels detained by their

respective ships-of-war shall be brought for judgment before such Commission, and in case of the condemnation of a vessel, that she, as well as her cargo, with the exception of the slaves, shall be sold by Public Sale, for the profit of the 2 Governments, and that, as to the slaves, they shall receive a Certificate of Emancipation;" in order that, should you concur with us in opinion as to the course which should be pursued in these and similar Cases, you may, Sir, if you think proper, make such communication to this Government on the subject as you shall deem expedient.

It is more than probable that the vessels above-mentioned may have been captured under Portuguese colours; but experience shews, that it by no means follows from that circumstance that the adventure, in whole or in part, may not, on close investigation, prove to be Brazilian—a point which we conceive it is peculiarly the province of this Mixed Commission to ascertain, and that from this duty no *prima facie* attempt to conceal the real character of the prize ought to preclude them.

The Case of the "*Maria da Gloria*," on the one hand (of which the Mixed Commission declined to take cognizance, because, after a full investigation, she was proved to be *exclusively* Portuguese property), will sufficiently acquit either our colleagues or ourselves of any wish unduly to extend our jurisdiction; while, on the other, the Case of the "*Paquete do Sul*," both vessels taken under the Flag of Portugal, proves the already notorious fact, that that Flag has been but too often used by Brazilian adventurers, as a mask by which to cover their illicit proceedings.

We have the less scruple, Sir, in making this representation, both because should the Mixed Commission, in any Case brought before them by a Brazilian Captor, declare their incompetency to take cognizance of it on the ground of its not being either British or Brazilian, His Imperial Majesty's Government would then equally have the power, as in the first instance, to proceed according to the laws of this country, apart from any international engagement, and because the summary course attending the proceedings of a Mixed Commission has been acknowledged by the Executive to be the best calculated to counteract that system of fraud which it is alike the object of both Governments to prevent.

We have, &c.

H. S. Fox, Esquire,
&c. &c. &c.

(Signed) GEORGE JACKSON.
FRED. GRIGG.

P.S. Since writing the above, Sir, we have seen the official Report of the capture of the brig, "*Santo Antonio*," by which it appears that she has a cargo of 117 slaves on board—a circumstance which confirms us still more in the propriety of this application, as it is impossible to reflect without horror on the fate which would await these unhappy objects under the operation of the Law of the 7th of November, 1831.

No. 108.

His Majesty's Commissioners to Viscount Palmerston.—(Received September 8.)

MY LORD,

Rio de Janeiro, 5th July, 1834.

WE have the honour to inform your Lordship, that, since our Half-yearly Report of the 5th January, 1834, only 1 vessel has been brought into this Port for adjudication by the Mixed British and Brazilian Commission, viz.—

The schooner, "*Duquesa de Braganza*," under Portuguese colours, with 270 slaves, detained by Commander Smart, of His Majesty's sloop, "*Satellite*," on the 15th June last.

Considerable progress having been made in the examination of the witnesses and Papers, we expect to announce the result to your Lordship in the course of a few days.

We have, &c.

(Signed) GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

No. 109.

His Majesty's Commissioners to Viscount Palmerston.—(Received September 9.)

MY LORD,

Rio de Janeiro, 24th July, 1834.

OUR Half-yearly Report of the 5th instant will have apprized your Lordship of the detention of a schooner, under Portuguese colours, called the "*Duquesa de Braganza*," by His Majesty's sloop, "*Satellite*," Robert Smart, K.H., Commander, with 277 slaves on board, and of her having been brought before the Mixed British and Brazilian Commission resident here, for adjudication, from the belief, that, though under cover of the Flag of Portugal, she was in truth Brazilian property.

The result of a long and minute investigation proved such to be the fact, and

we have now the honour of forwarding to your Lordship, herewith, the Report of the Case, together with the Sentence of the Court, in translation, which was unanimously delivered on the 21st instant, drawn out in the usual form practised in this Country, and by which the "*Duquesa de Braganza*" was condemned as lawful prize to the Crowns of Great Britain and Brazil, in conformity to the Convention concluded between them on the 23d November, 1826, and to the 1st Article of the Alvará of the 26th January 1818, to be sold, together with all her appurtenances and whatever articles may be in the said schooner, for the use of the 2 Governments, and the blacks found on board to be emancipated from slavery, and placed at the disposal of the Government of His Majesty the Emperor, as servants or free labourers, according to the provisions of the 5th Article of the above-mentioned Alvará.

We have much satisfaction, my Lord, in reporting to you this Sentence, both because we sincerely hope it may have the effect of deterring Brazilian subjects from engaging in this traffic, in the hope of covering their proceedings under the Portuguese Flag, and because the basis on which it rests, and to which the Brazilian Commissary Judge offered no objection, proves that the Imperial Government have abandoned, as far, at least, as regards prizes made by either British or Brazilian ships-of-war, the point their Commissioner once so strenuously insisted on, namely, that he could know no other guide than the Law of the 7th November, 1831; and that the Alvará of the 26th January, 1818, was extinct and superseded by subsequent legislative enactments.

The 2 Brazilian subjects convicted of engaging in the traffic in slaves in this Case, viz., the original Master and Owner of the schooner, and the Pilot of the same, are, your Lordship will perceive, by this Sentence, to be deemed and treated as guilty of piracy, in virtue of the 1st Article of the Convention of the 23d November, 1826.

To the other individuals so engaged, the jurisdiction of this Commission does not extend; but the proof of their guilt is no less strong, and the Brazilian Commissary Judge has already made the necessary communication to His Government, in order to proceedings being instituted against them at Common Law.

The only other point to which we would beg leave particularly to call your Lordship's attention, is the connivance, for it cannot be called by any other name, with which the Portuguese Authorities at Benguela and Loando encourage and facilitate this traffic. On the strength of no better evidence than a fictitious sale, so obviously fraudulent that no one could really be deceived by it, the Governor *ad interim* of the Captaincy of Benguela declares this schooner to be wholly and solely Portuguese property, and gives her a Passport as such; and the Port Authorities at Loando certify that she left that Port in ballast, when it was sufficiently notorious that she was to receive a cargo of slaves on board; and when, as appears by one of the documents, found at the time of her detention, several of them had actually been shipped many days prior to her sailing out of that harbour.

We should not, perhaps, close this Despatch without informing your Lordship, that in a communication made by the Portuguese Chargé d'Affaires at this Court to the Minister of Foreign Affairs, and transmitted by him to this Commission (but which is not noticed in their Sentence, because it was made confidentially), that functionary admits, referring to a conversation which had passed between them on the subject of the schooner in question and some other vessels, that he does not himself believe that the "*Duquesa de Braganza*" is Portuguese property.

We have, &c.

(Signed) GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

First Enclosure in No. 109.

Report of the Case of the Brazilian schooner, "*Duquesa de Braganza*," José Joaquim de Barros, Master.

THE schooner, "*Duquesa de Braganza*," sailed from Rio de Janeiro, in January last, under the Brazilian Flag, and with the customary Papers from the Port Authorities, describing her and her Master as Brazilian, ostensibly for Monte Video, but in reality for the Coast of Africa.

A fictitious sale having been there executed, and her Master changed for a Portuguese, she returned direct to the Coast of Brazil, and was detained on the 15th day of June, 1834, in or about latitude 23° 47' South, longitude 44° 27' West, sailing under Portuguese colours, and armed with 2 long 4-pounders, by His Majesty's sloop-of-war, "Satellite," Robert Smart, K. H., Commander, who, in his Declaration, states that her Master, José Joaquim de Barros, declared her to be bound from Angola to Monte Video, having on board 277 slaves.

The schooner was furnished with a Passport from the Governor, *ad interim*, of the Captaincy of Benguela, authorising her to proceed to Monte Video, touching at Loando, and describing her as a Portuguese vessel, and owned and commanded by subjects of Her Most Faithful Majesty, Donna Maria II., and in which no foreigner had any share or interest.

The "*Duquesa de Braganza*" ship's Papers were filed on the 30th of June, and properly authenticated by the Affidavits of Commander Smart himself, and the Prize-Master, Lieutenant William Russel Drummond; and the usual Monition having been duly served, according to the forms practised in this Country, the examination of the witnesses commenced.

They were 4 in number, the first, José Joaquim de Barros, Master of the aforesaid schooner, Francisco Elesbão Correa Caldas, Pilot of the same, and 2 persons, one a Spaniard, Antonio Janhes Pataca, and a Brazilian, João Fernandes Meira, who described themselves as passengers, but who had both crossed in this vessel from hence to the Coast of Africa in January, and one of whom, the Spaniard, was also found on board the "*Maria da Gloria*" at the time of her detention, at the close of last year, by His Majesty's brig, "Snake," also in the character of passenger.

The first witness, José Joaquim de Barros, swore that he was a Portuguese subject, and that he received the command of the schooner, in Benguela, from José Joaquim Teixeira, also a Portuguese, who had bought her from her former Owner, João de Souza Mattos; but that he had neither the Passport with which the schooner left Rio de Janeiro nor the Papers to certify this (pretended) sale; that the List of the crew with which she sailed from Benguela, where she obtained her Portuguese Passport, was left at Loando, and that her course from the former to the latter port did not appear in the Log-book, because, the navigation being along the Coast, it was not customary to mark it. He further swore, that the blacks found on board were shipped outside the Bar of Loando, to be delivered at Monte Video, and that he had been obliged to make the Coast of Brazil from contrary winds and want of provisions and water. He denied all knowledge of João de Souza Mattos, the former Master and Owner, and declared the Pilot, Francisco Elesbão Correa Caldas, to be a Portuguese.

This latter individual (the second witness examined) swore that he was a Portuguese subject, though born in the province of Ceará, having left it for the Island of Madeira at the age of 6 years; that the Consignee of José Joaquim Teixeira, at Loando, appointed him Pilot to the schooner; that the document respecting the sale, of which he gave the same account as the preceding witness, had, he supposed, been forwarded to Rio de Janeiro, and that the List of the crew with which they left Benguela had remained at Angola, where fresh hands were engaged. His account of the shipment and destination of the blacks agreed with that already given.

The third witness, Antonio Janhes Pataca, a Spaniard, deposed to the same effect as the preceding; but his evidence was even still less worthy of credit than the others, he being detected in a most gross perjury, swearing that, on the outward voyage, part of the cargo had been landed and sold at Monte Video, in the face of a Protest, to which his own name appeared, declaring the impossibility of reaching that port, owing to the state of the winds and the consequent necessity of steering for Benguela.

The fourth and last witness examined was João Fernandez Meira, a Brazilian; but nothing new was elicited from his testimony.

A Claim was filed on behalf of José Joaquim Teixeira, as "Owner and Proprietor" of the Portuguese schooner, "*Duquesa de Braganza*," setting forth that the vessel was forced to steer for Benguela by stress of weather; that she was sold at Benguela, for want of means to meet the requisite repairs, to a Portuguese subject; that she was bound for Monte Video, with Passport from the Governor of Benguela, as Portuguese property; that, as such, she could not be detained South of the Equator, nor come under the jurisdiction of this Mixed Commission Court; and praying, either that she be released and allowed to proceed on her course to Monte Video, or that she be sent to the Commission at Sierra Leone; and concludes, by protesting against the competency of this Commission, and holding the individual Members of it, or their respective Governments, answerable for all losses, &c.

The Court having fully considered the facts of this Case, as shewn, as well by the evidence of the above witnesses as by the various documents submitted to them, among the rest, the Bill of Sale of the "*Duquesa de Braganza*," at Benguela, for 500 milreis, were unanimously of opinion, that the schooner "*Duquesa de Braganza*," is and was Brazilian property; that the alleged sale to a Portuguese was fictitious, and made only for the purpose of covering the real character of this vessel, and accordingly, on the 21st instant, passed Sentence of condemnation on the same, as good and lawful prize to the Crowns of Great Britain and Brazil, and was taken in the illicit traffic in slaves by His Majesty's sloop, "Satellite," Robert Smart, K. H., Commander, and decreed the emancipation of her surviving slaves, 249 in number, to be placed at the disposal of the Government of His Majesty the Emperor, as servants or free labourers.

Second Enclosure in No. 109.

(Translation.)

Sentence.

Rio de Janeiro, 21st July, 1834.

THE present Acts and Documents having been seen and examined, it is ascertained that the schooner, "*Duquesa de Braganza*," detained by his Britannic Majesty's sloop-of-war, "Satellite," in latitude 23° 47' South, and longitude 44° 27' West, for having been found with 277 African blacks on board, is Brazilian property, although then navigating under the Portuguese Flag, because, although among the Papers taken on board, there exists a Portuguese Passport issued by the Governor of Benguela, in which the schooner in question is declared to be the property of José Joaquim Teixeira, a Por-

tuguese subject, and residing there, having been sold by her former Owner, João de Souza Mattos, a Brazilian subject, and the said Teixeira having, by his Requisition, at page 150, presented the Instrument by which the said sale was effected, such Documents, connected with the fraud with which it is seen that all this business has been planned from its commencement, and particularly with the insignificant price of 500 milreis for which it is pretended that the sale was effected of a schooner of 125 tons, with all her appurtenances, without its being authentically shown what damage she had suffered, and the alleged want of means of repairing the same, because the Document, at page 138, with which it is attempted to prove these circumstances, and the necessity of steering for Benguela, being only a Protest drawn up and signed by persons engaged in the African trade, and accustomed to the shameful contraband in slaves, far from deserving credit, proves, on the contrary, that the real destination of this vessel was for the Coast of Africa; it being scarcely credible, that, having sailed with Clearances for Monte Video, in January, a fit time of the monsoon for such voyages, she should have been forced by bad weather, as it is asserted in that Document, to put into Benguela, especially as no Log-book has been found showing the fact of the existence of such contrary winds, as is always the practice in such circumstances, and that all the causes referred to are nothing more than subterfuges and deceitful means to which recourse was had to obtain, by the small sacrifice of 25 milreis, being the amount of the duty upon the pretended sale, the Portuguese Passport, by which the real Owner, João de Souza Mattos, might screen himself, and the other individuals equally concerned, from the just punishment of the laws attaching to the criminal traffic in the human species which they meditated.

It is evident that the aforesaid schooner is Brazilian, not only because she was employed as such in the coasting trade (see Document at page 194), but also because, in this same character, and as the property of the said João de Souza Mattos, she was despatched in January of the present year for the Port of Monte Video, as is shown by the Documents at pages 189, 190, 191, 192, 193, and 198.

The fraud with which this business was planned is proved, inasmuch as the schooner, having cleared out for Monte Video, as already stated, far from going to that Port, there being no other journal of her course than from the 24th to the 29th of that month, and without its being known how she afterwards navigated, there appears a Protest made on board on the 15th February, in which alleging, as above mentioned, the contrary winds experienced on the voyage, it was resolved to change the course and to proceed to Benguela—a Protest, which for the reasons above given, fully convinces that the destination of this schooner, from the time of her sailing from this Port, was no other than to the Coast of Africa, for the criminal commerce in slaves, which is further corroborated by the following documents: the Cargo-book, at page 10, in which are mentioned the goods embarked on board of her (the schooner) for Angola; the Letter, at page 26, written by Gaspar Jozé Vianna, which is a further proof of fraud in this business, inasmuch as reference being made therein to a Bill of Lading of goods laden for Monte Video, Document, page 24, not only the Letter is addressed to Antonio Janhes Pataca, and, in his absence, to Antonio Jozé de Mesquita, merchant, at Loando, but also in the Cargo-book for that Port the same goods are described as laden by Janhes Pataca; the Document, at page 27, being an Invoice of goods laden for Angola, by Francisco Elesbão Correa Caldas, to be delivered to himself; a List, at page 29, of the crew with which the schooner sailed from this Port for that of Loando, and which agrees with the Muster-roll made for Monte Video, besides other Letters and Invoices; a Declaration, at page 58, that the said schooner left this Port on the 23d day of January of this year, at 6 o'clock in the morning, on her voyage to the city of Angola, notwithstanding the testimony of Antonio Janhes Pataca, in his deposition, at Pages 129 to 133, asserting that the goods were intended for Monte Video; that the schooner had entered there and sold part of the same, inasmuch as in this act he was convicted of contradiction and falsehood, with reference to the Protest made as a pretence for putting into Benguela, which was also signed by him, as he afterwards acknowledged.

It is also shown, that Jozé Joaquim de Barros, a Portuguese subject, is entered in the Muster-roll as Master of the schooner only to cover the Portuguese Flag, and to colour the fraud with which it was intended to disguise her real national character, inasmuch as besides that he himself says, in the act of the examinations, that he had no Pilot's Certificate, there appears Francisco Elesbão Correa Caldas, a Brazilian citizen, born in the province of Ceará, who, having sailed in this same schooner as Master, as is seen by the Passport at page 194, and who proceeded in her as Pilot, in the suppositious voyage to Monte Video, according to the Clearances, but in reality to Angola, as is proved by all the Documents registered in the latter Port, as first Mate and a Portuguese subject, and a native of the island of Madeira, which proves, besides the fraud premeditated to cover the true character of all this business, the corruption and want of morality in all the individuals employed therein, and the laxity with which they treat the sanctity of oaths, concluding from this, and from the contradictions which are observable in all their depositions, that no credit can be given to them.

Considering, therefore, what has been demonstrated, it is fully proved that the schooner in question was bound from this port, with all her cargo, for the Coast of Africa, to be employed in the prohibited commerce in slaves; that the touching at Benguela was only to obtain by fraudulent means the Portuguese Passport; that the same schooner was and is the property of João de Souza Mattos, who has a great number of blacks in the schooner, as have also the Mate and other individuals, particularly Antonio Janhes Pataca, as appears from the Document at page 36, which is a statement of all on board, with their respective marks, and, opposite to them, the names of the persons to whom they belong; and that her voyage from Angola, far from being for Monte Video, as is alleged, and as the Clearances refer to, was intended to be direct to Ilha Grande, as is seen by a Chart presented by the Commander of the sloop-of-war, drawn up according to the journal of the course, and to a statement given by the same Officer, Document, page 205, although the Protest in page 37, drawn up on the 13th June, be intended to induce the belief that the having been fallen in with in the proximity of the said Island was owing to the intention which she (the schooner) had of supplying herself with water, of which she was in want, because, besides that it (the Protest) was made by the same individuals, already accustomed to every sort of falsehood, and therefore not deserving any credit, the Lieutenant charged with the searching and examination of the same schooner, in his first deposition, and which he afterwards ratified in the presence of the witness, Antonio Janhes Pataca, affirms that there existed on board sufficient water and provisions for continuing the voyage to Monte Video, independently of that colourable putting in there, supposing such had been her real destination.

Wherefore, considering what has been set forth, with what further appears from the Protocol and the provisions of the existing Treaties and Conventions, the undersigned Commissary Judges declare the aforesaid João de Souza Mattos and Francisco Elesbão Correa Caldas, Brazilian subjects, as falling under the 1st Article of the Treaty of the 23d November, 1826, they adjudge the detention and capture of the schooner, "*Duquesa de Braganza*," Brazilian property, by the British sloop-of-war, "*Satellite*," to be valid, and they condemn as lawful prize, in conformity with the above-mentioned Treaty, and with Article the 1st of the Alvará of the 26th January, 1818, and of the Convention of the 28th July, 1817, additional to the Treaty of the 22d January, 1815, the said schooner, her sails, tackle, stores, goods, and whatever other articles may be therein, the whole for the use of the 2 Governments of His Majesty, the Emperor and of His Britannic Majesty; and they declare emancipated from slavery the blacks existing on board the same, to be placed at the disposal of the Government of His Majesty the Emperor, as servants or free labourers, according to the provisions of the 5th Article of the above-mentioned Alvará, the number of both sexes, and of all ages, amounting to 249, 28 having died on shore since the detention of the schooner.

(Signed)

JOAO CARNEIRO DE CAMPOS.
GEORGE JACKSON.

No. 110.)

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 8th October, 1834.

I HAVE received your Despatches of the 26th and 27th December, 1833, and of 15th and 30th January, and 22d April, 1834, upon the subject of the Case of the "*Maria da Gloria*," which had been captured with 423 slaves on board, under Portuguese colours, by His Majesty's ship, "*Snake*," and brought before the Mixed British and Brazilian Commission at Rio de Janeiro.

I have also had before me various other Letters upon the same subject from His Majesty's Minister at Rio de Janeiro, and from the Admiral commanding His Majesty's ships upon that Station.

The Case has received the serious consideration of His Majesty's Government; and, as the Declaration of the Mixed Court that it was not competent to take cognizance of it, may be productive of great difficulty in the suppression of the Slave Trade, I proceed to make to you the following observations:—

The "*Maria da Gloria*," although navigated under the Flag of Portugal, and with Portuguese Papers, was fitted out at Rio de Janeiro; and there can be no doubt that she was to return to some Port of Brazil.

The Owner, though possibly a Portuguese by birth, was resident at Rio de Janeiro, and carrying on business as a merchant in that city.

Now it is a principle of the Law of Nations, that the national character of a merchant is to be taken from the place of his residence and of his mercantile establishment, and not from the place of his birth.

In this transaction, therefore, the Owner of the "*Maria da Gloria*," must be considered as a Brazilian subject, and, as such, bound by the Laws of Brazil and the engagements into which that Government had entered with other States: and His Majesty's Government are of opinion, that the Mixed Commission at Rio de Janeiro had jurisdiction in this Case, and that it might with propriety have admitted the usual proceedings to be instituted against the vessel and the slaves, with a view to the condemnation of the former and the emancipation of the latter.

I have accordingly to instruct you to acquaint the Brazilian Commissioners with the opinion entertained by His Majesty's Government, and to desire that you will use your utmost endeavours to induce them to proceed to adjudicate in Cases which may be brought before the Mixed Commission, under circumstances similar to those of the "*Maria da Gloria*."

In order, however, the more effectually to put a stop to the means now resorted to by slave traders, as evinced in this Case of the "*Maria da Gloria*," for evading the penalty to which they are justly liable, His Majesty's Government has proposed to the Governments of Portugal and Brazil, to agree to additional Articles, to be annexed to the existing Treaties with those Countries, containing all those stipulations which experience has shewn to be best adapted to prevent the subjects of either Power from engaging in any way whatever in the Slave Trade.

I am, &c

(Signed)

PALMERSTON.

His Majesty's Commissioners,
&c. &c. &c.

No. 111.

His Majesty's Commissioners to Viscount Palmerston.—(Received December 15.)

MY LORD,

Rio de Janeiro, 8th September, 1834.

IN consequence of the representation made to this Government, by His Majesty's Minister, as referred to in our Despatch of the 26th of June, the 2 vessels therein-mentioned, the "*Dois de Março*" and the "*Santo Antonio*," were brought, as soon as the process at ordinary Law was preliminarily completed, before the Mixed British and Brazilian Commission.

The result of that process was in both instances conviction, or rather the committal of the parties to prison to take their trial, as having been engaged in importing slaves into Brazil.

The 2 Cases were presented on the 23d July, and our colleague at first spoke of both, on laying them before the Court, as susceptible of little or no doubt, and likening the Case of the "*Dois de Março*" to that of the "*Duquesa de Braganza*," in that part which regarded the pretended sale of the vessel on the Coast of Africa, proposed that the 2 Commissary Judges should each read over attentively the proceedings already had before the ordinary Law Authorities, and, provided they concurred in the judgment pronounced by the latter, that they should at once proceed to adjudicate the Cases on the same basis.

To this the British Commissary Judge decidedly objected, alleging that they were bound, as he conceived, to follow the course prescribed by the Convention and the Regulations annexed, and to commence the process *de novo*; and that, though even the result should be the same, any judgment whatever founded on any other proceeding would be null and void.

The Brazilian Commissary Judge persisted for a day or two in his opinion; but, after consulting some legal friends, gave way, and the trial of the 2 Cases was entered upon as if no previous proceeding had taken place, by receiving the depositions of the respective Parties, and at the same time affording them an opportunity of retracting or ratifying their original testimony.

The vessel forming the immediate subject of this Despatch is the "*Dois de Março*." She cleared out from this Port for Angola, in November, 1833, as Brazilian property, under the name of the "*União*," and was detained in May last, in the harbour of St. Sebastian, by the Brazilian schooner, "*Fluminense*," on suspicion of being engaged in the traffic in slaves, having been chased, some days previously, off this port, by the Brazilian brig-of-war, "*Cacique*," which pursued her to the former Station.

This vessel was furnished with a Passport from the Governor of Loando, to proceed in ballast, to Monte Video, and is described therein, under the denomination of the "*Dois de Março*," as Portuguese, owned and commanded by subjects of Her Most Faithful Majesty.

We have the honour to subjoin herewith the detailed Report of the Case; which, together with the annexed Copy of the Protocol of the proceedings of the Court, from the 23d to the 27th ultimo inclusive, will put your Lordship fully in possession of every particular. In the latter, you will observe the difference of opinion which occurred between the 2 Commissary Judges respecting the national character of the vessel, as seen in the separate opinions given by each, and that, the Brazilian Commissary Judge adhering to his opinion, lots were drawn, in conformity to the 3d Article of the Regulations. The lot fell upon the Brazilian Commissioner of Arbitration, who immediately declared his entire concurrence with his colleague, and, on the following day, they conjointly pronounced their Sentence, declaring the property to be Portuguese, and that, consequently, this Mixed Brazilian and British Commission was incompetent to take cognizance of the Case.

It was not without considerable reluctance that the British Commissary Judge could bring himself to put his name to a Sentence so at variance, not only with the previously expressed sentiments of His Brazilian colleague, but with what appeared to him the just and only conclusion to be drawn from the evidence before them. Such, however, being the ordinary usage in this Country, and the Sentence requiring his signature to give it validity, he signed it, "as under protest, or being overruled, as regarded the national character of the vessel."

Into the question of her having imported a cargo of slaves into this Country, he was thus not called upon to enter: of this fact, however, it was, on the whole, difficult to doubt, though certainly it appeared to be less unequivocally proved than in other previous Cases.

For the reasons of the Brazilian Commissioners for the judgment they pronounced, we beg leave to refer your Lordship to the Sentence itself, and to the opinion on which it was founded: they turned chiefly on the extreme difficulty of invalidating public Instruments, proceeding from legitimate authority, by inferences and suspicion, however strong; a doctrine which imposes upon us the duty of again calling your Lordship's attention in this instance, as in that of the "*Maria da Gloria*," to the conduct of the Governor and other Portuguese Authorities at Loando, in both which the grossest negligence, if not connivance, is observable; the parties implicated in thus facilitating these adventures being the same identical individuals.

We have, &c.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

First Enclosure in No. 111.

Report of the Case of the "Dois de Março," João Pedro Ferreira, Master.

THE "*Dois de Março*," commanded by João Pedro Ferreira, sailed from Rio de Janeiro, under the denomination of the "*União*," in November, 1833, for Angola, as Brazilian property. On her arrival at the latter place, having been sold, or pretended to have been sold, to a subject of Portugal, this vessel obtained a Passport from the Governor of Loando, to proceed in ballast to Monte Video as Portuguese property, and was detained, in May last, by the Brazilian schooner, "*Fluminense*," in the Harbour of St. Sebastian, on suspicion of having had a cargo of slaves on board, having been previously chased by the brig of-war, "*Cacique*," both vessels belonging to the Imperial Navy.

No slaves were found in her; but there was strong reason to believe that she had landed a cargo of Africans off Cape Frio, having been first seen in that latitude sailing under Brazilian colours.

The change of Flag from Brazilian to Portuguese was only resorted to on her finding it impossible to escape from the schooner, "*Fluminense*," which, after getting away from the brig, "*Cacique*," she subsequently fell in with off St. Sebastian.

The Case of the "*Dois de Março*" was not brought before the Mixed British and Brazilian Commission till the 23d July, owing to the circumstance of previous proceedings having been instituted against her by the ordinary tribunals of the Country. On that day the ship's Papers were brought into Court and filed, and, the usual Monition having issued, and the other forms practised in this Country having been complied with, the Affidavits of the Captors were received, and the examination of the witnesses commenced.

They consisted of the Master, João Pedro Ferreira and 3 of the sailors; the Pilot, Jozé Antonio, having absconded between the arrival of the vessel in this harbour and her being brought before the Court.

The first swore that he was a Portuguese subject, and that he was appointed to the command by Antonio Jozé de Mesquita, also a subject of Her Most Faithful Majesty, who had bought her from her former Owner, Jozé Bernardino Correa; but that he had no Bill or other proof of sale to produce, and denied most positively that he had any slaves on board. The 3 sailors, from hearsay, confirmed the first part of his testimony, as regarded the sale of the vessel, and also denied, before the Court of Mixed Commission, the fact of having had a cargo of slaves. On 3 previous occasions, however, both at the time of detention, and before the Brazilian Justice of the Peace, they deposed distinctly to their having landed a cargo of blacks off Cape Frio, where canoes were sent off to them, in which Jozé Bernardino Correa, who commanded this vessel on her outward voyage, disembarked with them.

This evidence they afterwards retracted, as having been extorted from them by menaces and coercion on the part of the Captors; but, on being confronted with the latter, they completely failed in substantiating any thing of the kind.

The proof of slaves having been on board was further corroborated by Receipts signed by the Pilot, and found on board, for rations for a certain number of slaves, up to the moment of the vessel leaving the Coast of Africa; by the course which her Log-book proved her to have followed, showing that Cape Frio, and not Monte Video, had all along been her destination; and by a survey which was made on the arrival of the vessel in this harbour, in the course of which various indications were found tending to establish the same fact. It was attempted to explain the circumstance of the rations by saying that they were for another vessel belonging to the same Owner, which was lying alongside of her in the Harbour of Angola—a clear proof at least, even if such were the fact, that that individual was largely concerned in the traffic. So little doubt, indeed, existed in the mind of the Brazilian Commissary Judge, of the "*Dois de Março*" having had a cargo of slaves on board, that he was fully prepared, upon that ground, to have condemned her; but a Claim was presented on behalf of the reputed Owner, Jozé Antonio de Mesquita, by the Master, João Pedro Ferreira, asserting the property to be Portuguese, to whom the trade to the south of the Equator was still licit, and protesting in consequence against the incompetency of this Commission, and though he made no application for time to procure evidence of the alleged sale, by which the change of property was said to have been effected, the Brazilian Commissary Judge gave it as his opinion that the vessel was Portuguese, and not Brazilian, and as such not cognizable by this tribunal.

On this point, the British Commissary Judge dissented from his colleague, and lots being drawn, in conformity to the Regulations, and the lot falling on the Brazilian Commissioner of Arbitration, who immediately coincided with his colleague, the subjoined Sentence was agreed on at the Sitting of the Court on the 27th of August, and the whole of the documents and proceedings were remitted to the tribunals of the Country, in order to the final termination of the process by them.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

Second Enclosure in No. 111.

Protocol of Proceedings of the Mixed Commission.

(Translation.)

Rio de Janeiro, 19th August, 1834.

THE Minutes of the last Session being read and approved of, the Commissary Judges, on the receipt of a Petition from Francis Elesbão Correa Caldas, formerly Pilot on board the schooner, "*Duquesa de Braganza*," praying to be informed of the degree of penalty in which he was comprehended by reason of the Sentence of the Commission, which was not explicit in this respect, and respecting the application of which penalty the Executive Judge entertained doubts, agreed that this question should be submitted to the consideration of the 2 Governments, by their respective Commissioners.

The Brazilian Commissary Judge presented to the Board his opinion in the Case of the patacho, "*Dois de Março*" being of the following tenor: The Brazilian Commissary Judge having examined the process relative to the Portuguese patacho, "*Dois de Março*," captured by the brig-bark, "*Cacique*," and the schooner, "*Fluminense*," both of the Brazilian navy, ascertained that the said patacho sailed from this port for Angola under the denomination of the patacho, "*União*," and under the Brazilian Flag, as belonging to the Brazilian subject, João Jozé Gonçalves, shown by the Clearances she then obtained, that she returned from Angola with a Portuguese Passport, under the denomination before-mentioned of "*Dois de Março*," and as the property of Antonio Jozé de Mesquita, a Portuguese subject, with a cargo of slaves; that she landed them in the vicinity of Cape Frio, and that afterwards, steering for this port, and falling in with the brig-bark, "*Cacique*," which chased her, she was forced to run, and steered for the port of São Sebastião, where she met with and was detained by the schooner, "*Fluminense*."

From these premises, no doubt existing of the before-mentioned patacho having conveyed to and landed slaves at some one of the ports of the Empire, notwithstanding that they were not found, for not only 4 of the sailors in their depositions on board the schooner declared to that effect, and afterwards confirmed the same with still further particulars, in the presence of the Justice of the Peace, but also because it was proved by the vouchers for the rations, and by the Report of the survey of the hold of said patacho, where, even after the lapse of 3 days between the commencement of her chase and her detention, besides those which elapsed since the landing of the slaves, until the day on which they made the bar of this port, during all which time they might have cleaned out the hold, and have put it into such a state as to do away with any vestige whatever, appearances were yet visible which shewed that the said slaves had existed on board, all which circumstances united constitute full proof of this crime; the retraction presented afterwards by 3 of the before-mentioned mariners being unworthy of any credit, by reason of the incoherences observable between the Petition, which for this purpose they made to the Justice of the Peace, and the answers which they afterwards made to the Board of Commissioners, in the presence of the Commander of the brig-bark, "*Cacique*," who, being confronted with them, entirely destroyed the allegation contained in their Petition respecting the circumstances of restraint, &c., the above-mentioned Judge would not hesitate to condemn the patacho in question, if there could be found among the documents any proof that this vessel, notwithstanding the Portuguese Passport, having sailed from this port with the Brazilian Flag, continues still to be Brazilian property; but, as there is no such document in existence, as has been already noticed, proving it to be so, and the Passport being moreover granted by a legitimate Authority, and all the other necessary Clearances being equally found to be in due order; in reference to which it cannot be asserted with confidence, that in this business there had been any fraud, since no document bearing upon the sail of the said patacho exists by which such fraud might be verified, (added to which) all the witnesses agree in declaring that the patacho is Portuguese, without there being the slightest proof to the contrary, but merely suspicion, that the adoption of the Flag was intended to withdraw the parties concerned from the penalties of the Treaties (which, however, is no way proved). He does not deem the Commission competent to adjudicate in the Case, because this power belonging to it only in conformity with the Treaties, and according to what has been already decided in the Case of Brazilian and British vessels, or where subjects of those Nations are interested, which does not appear in the present instance, he does not consider it duly authorised to condemn the said patacho; and is of opinion, that the Papers should be sent back to the tribunal from which they came, in order to the prosecution and termination of the process against those individuals, who, being reputed accomplices in the traffic of slaves, are already committed to take their trial for this offence, in conformity to the laws.

(Signed) JOAO CARNEIRO DE CAMPOS.

The British Commissary Judge answered that he would give his opinion.

(Signed) BRAS MARTINS COSTA PASSOS.

Rio de Janeiro, 26th August, 1834.

The opinion of the Brazilian Commissary Judge embracing 2 distinct questions, the one the national character of the vessel; the other, whether or not in her voyage from Angola she embarked a cargo of slaves; the British Commissary Judge will, with leave of his colleague, apply himself for the present to the first only of these questions; namely, is the patacho now called "*Dois de Março*," to be considered as Portuguese or as Brazilian property, adverting no otherwise to the latter inquiry, as to the slaves, than may be necessary in the prosecution of the former, to sustain the view he takes of it, and this the rather because he unhesitatingly acquiesces in the opinion predicated by his colleague, and acted upon on a former occasion, that, if the patacho shall be adjudged to be Portuguese, this Commission, however fully the fact of her having imported a cargo of slaves may be established, has no jurisdiction over her.

From the Documents before the Court, it appears that this vessel, then called the "*União*," was despatched to Angola, from this port, as Brazilian property, in the month of November last, under the command of a Brazilian subject, Jozé Bernardino Correa; that she sailed again from thence in the beginning of April, under her present denomination, "*Dois de Março*," the same individuals for the most part composing her crew in both voyages, though under different characters, the former Pilot having, in her homeward voyage, been appointed Master, and that (if we are to believe the

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sailors, on whose testimony the Brazilian Commissioner appears to lay great stress) the before-mentioned José Bernardino Correa returned in her to the Coast of Brazil, where he landed with the slaves; that, when first chased by the Brazilian brig-of-war, "*Cacique*," the patacho hoisted Brazilian colours, and that it was only on finding it impossible subsequently to escape the Brazilian sloop-of-war, "*Fluminense*," that she resorted to the Portuguese Flag.

Such are the circumstances tending to prove this vessel to be still Brazilian. What is there to show the contrary? Nothing beyond the simple averment of the Master and his crew, that there had been a transfer, and the Passport and other Documents obtained at Loando, declaring the "*Dois de Março*" to be Portuguese, and her Owner and Master to be subjects of Her Most Faithful Majesty. How, when, why, or for what consideration, this transfer was made, it is not attempted to be shown: the only positive account we have of it is the evidence of the aforesaid Master, João Pedro Ferreira, who says, that in Angola she was sold to Antonio José de Mesquita, a subject of Portugal.

It must, however, be remembered that this witness is altogether discredited, if we suppose the patacho to have had a cargo of slaves on board, and give credence to the deposition of the Brazilian Captor (as of course we must) respecting her Log; and that the sailors, from the contradictory statements made by them, on 4 several occasions, are utterly unworthy of credence, either one way or the other.

Besides, the Court might naturally expect the production of some document to attest the alleged sale—if not the Bill of Sale itself, at least a Copy of it; but the Master declares he is not in possession of anything of the kind, though he adds that the Papers are in the hands of Antonio José de Mesquita; nor does he give any reason (as was attempted in a former Case) why such sale was made; and all this absence of proof occurs in a Case which, admitting, for argument's sake, the sale to have been real, must yet be acknowledged to be obnoxious to the strongest suspicion, and where one would have supposed every precaution to counteract and rebut such suspicion would have been taken, so as to enable the Master at once to verify his statement; more particularly regard being had to the scene of this transaction, and to the present state of the Slave Trade, which, by way of illustration, may not inaptly be considered as bearing some analogy to the rights of belligerents in naval warfare. Again, who is the reputed Purchaser? Antonio José de Mesquita, an individual who has, on more occasions than one, appeared before this Court as notoriously engaged in the traffic of slaves, whom the documents in this very Case prove to be the Owner of very considerable numbers, and who signs, as he had before done in another instance, one of the Custom-house Papers at Loando as security for this identical vessel, not describing himself as Proprietor of the same, but simply as a resident merchant of the place.

What, moreover, are the engagements for which he thus pledges himself? That the vessel in question shall not take any person whatever on board without the leave of the Governor, and that she shall not deviate at all in her course to the Port of her destination (*viz.* Monte Video) by touching at any other point whatever; and this Document is produced simultaneously with the evidence that the original Owner, a foreigner, had come in her to the Coast of Brazil, and with the Passport on which the pretension of considering the patacho as Portuguese mainly rests, which makes no mention of any such person; and where are these disclosures made? In the latitude of Rio de Janeiro, not only without any Protest to show that a necessity had existed for making any deviation in her course, but, in the face of a Log-book, clearly demonstrating that the Coast of Brazil (Capo Frio), and not Monte Video, had all along been her destination.

Where such a system of fraud is established it may fairly be presumed, without any other imputation than want of due caution on the part of the Authorities at Loando, that their vigilance has been surprised on this occasion, and when it is further recollected that the barque, "*Maria da Gloria*," lately before this Court, was furnished with precisely the same documents, signed by the same Authorities (which barque avowedly took in a cargo of slaves off the Bar of Loando), it is not too much to infer that those Authorities have been imposed upon; that similar frauds have been practised by the Owners of this vessel, and that, pertinaciously persisting in the traffic of human flesh, and yet dreading the penalties it subjects them to under the Treaties, they have passed off a fictitious sale on the Governor of Loando, in which the change of name of the vessel forms but one part of the contrivance, and thus fraudulently attempted to escape detection and, it may be, punishment, under cover of the Flag of Portugal—a device which has too frequently and too successfully been resorted to, and which can scarcely be wondered at when the undue facility, not to say remissness with which Certificates are given on such occasions, is adverted to.

This inference is still further corroborated by the fact which appears on the face of the proceedings, that, though the Passport is granted on the 24th March, the Pilot, and, as may reasonably be inferred from the same evidence, the leading officer of the ship, José Antonio, continues, up to the last moment, to date from on board her as from the patacho, "*União*."

With such positive and negative evidence before the Court, tending to establish the belief that nothing beyond a mere collusive sale and transfer of this property has really taken place, for the purpose above alluded to, the British Commissioner cannot hesitate in declaring it to be his opinion, that António José de Mesquita is not the real Proprietor of the Patacho, now denominated "*Dois de Março*," that she is still, as from the first, *bonâ fide* Brazilian property; that the whole transaction bears upon the face of it the marks of her being such, and that she is therefore amenable to and liable to condemnation by this Mixed Commission—a conclusion at which he more readily arrives, both because the Pilot, José Antonio, who could, no doubt, have given the best account of the whole business, has absconded, and because the declared Owner, José Bernardino Correa, though generally believed to be in the neighbourhood of this city, has not thought proper to answer to the summons issued by the Court for his appearance (which, if he had no interest in the adventure, he might have done without risk), and still more, because the Master claiming for the pretended Owner, Antonio José de Mesquita, on whom the *onus probandi* lay of proving the reality of the alleged sale, has not deemed it prudent to avail himself of the opportunity afforded by the Regulations of the Court, to ask for time to procure satisfactory testimony for that purpose.

For the reasons then above stated the British Commissioner cannot but consider this sale as merely colourable; but, even were it otherwise, were the transfer real, the Law of Nations, which must be supposed to have regulated the principles, if not the immediate duties of this Commission, which he is quite ready, at the same time, to admit do not emanate exclusively from that Law, would hardly, he conceives, justify such a transaction, or legalize a proceeding so manifestly resorted to for the mere purpose of defeating, by the instrumentality of a 3d power (and that power, it is not

irrelevant to observe, itself a party to similar engagements), the zealous endeavours of 2 independent Nations in the furtherance alike of the sacred cause of humanity, and of the direct interests of 1 at least of the contracting parties.

(Signed) GEORGE JACKSON.

Rio de Janeiro, 27th August, 1834.

THE Undersigned Brazilian Commissioner of Arbitration, having examined the opinions given by the Brazilian and British Commissioners, with reference to the decision to be come to in the Case of the patacho, "*Dois de Março*," and having been present at the Sessions held respecting the same, agrees entirely with the opinion of his colleague, the Brazilian Commissary Judge, for the reasons therein set forth.

(Signed) JOAO PEREIRA DE SOUZA.

Rio de Janeiro, 27th August, 1834.

It appearing from these documents that the patacho, "*Dois de Março*," detained by the brig-bark, "*Cacique*," and schooner, "*Fluminense*," of the Brazilian navy, on the north coast of the Island of St. Sebastian, on suspicion of having imported slaves, is the property of the Brazilian subject João José Gonçalves, notwithstanding she left this port for that of Angola, with the name of the patacho, "*União*," and returned from that port, with a Portuguese Passport and a Portuguese crew, under the denomination of the "*Dois de Março*," in consequence of the sale made to the Portuguese merchant, Antonio José Mesquita, as was deposed to unanimously by all the witnesses named in this process; and there not existing amongst all the documents a single one to support the presumption that such sale was made with the sole view to elude the Treaty between this Empire and Great Britain; this Commission is not competent to adjudicate in this Case, for the presumption alluded to, not being of itself sufficient to constitute satisfactory proof to invalidate the Portuguese passport, granted by legitimate authority, nor the other Clearances with which the said patacho sailed from the before-mentioned port of Angola; and there not appearing, as already said, any other proof to vitiate all these circumstances, and cause this vessel to be still considered as Brazilian property, she cannot be subject to the cognizance of the Mixed Commission, however it may be known, that being despatched from Angola in ballast, for Monte Video, instead of going there, she steered immediately for the ports of Brazil, and brought a cargo of slaves; that she landed them near to Capo Frio, according to the deposition of some of the witnesses, and the other documents and examinations contained in the same process, for this criminal act having been committed under the Portuguese Flag, as already proved, it belongs to other Authorities to pass judgment in this Case; and, for this purpose, the Commission orders that the process be sent back to the Tribunal from which it was received.

(Signed) JOAO CARNEIRO DE CAMPOS,
JOAO PEREIRA DE SOUZA.
GEORGE JACKSON, Overruled
(or under Protest), as regards the national
character of the vessel.

No. 112.

His Majesty's Commissioners to Viscount Palmerston.—(Received Dec. 15.)

MY LORD,

Rio de Janeiro, 15th September, 1834.

YOUR Lordship will, perhaps, have noticed that mention was made in the Minutes of the Court, enclosed in our preceding Number, of the receipt of a Petition from Francisco Elesbão Correa Caldas, formerly Pilot on board of the schooner, "*Duquesa de Braganza*," praying to be informed in what degree of penalty he was comprehended; the Sentence of the Court, confining itself to declaring him guilty of piracy, in conformity to the 1st Article of the Convention of the 23d November, 1826, and the Officer whose duty it is to carry the Sentence into execution, entertaining doubts as the measure of punishment to be awarded; the crime of piracy, as defined in the Penal Code of this Country, subjecting the guilty party to 3 distinct degrees of punishment, viz.—

1st. Imprisonment for life.

2d. Imprisonment, with labour, for 20 years.

3d. Imprisonment, with labour, for 10 years.

We beg leave to subjoin herewith a Translation of the above Petition.

In the discussion which it gave rise to between the Commissary Judges, they were unanimously of opinion that they had no power to decide the question, being no further authorized than to cite the Article as to which the Treaty had been infringed; and the Brazilian Commissioner then proposed that the question should be referred to his Government; and that, if their determination should eventually not accord with the ideas of the British Commissioner, he should report it at home, where such a decision as His Majesty's Ministers might think proper could be taken upon it.

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The British Commissioner replied that, in his country, piracy is a capital offence, and that he had little doubt that, at the time of the signature of the Convention, such was the sense in which the Plenipotentiaries understood the Article in question; and that, though he felt confident the British Government would be far from being desirous of exacting undue severity in such a Case, and certainly had no such disposition himself; yet he thought that, as one of the contracting parties, it was proper that the point should be submitted for consideration as well to the British as to the Imperial Government—a proposal which was ultimately acquiesced in, as your Lordship will likewise see in the above-mentioned Minutes.

The Brazilian Commissary Judge made the communication accordingly to his Government, a Copy of which we saw, and found to be in conformity to the Minute of the Court, but which we are unable to furnish your Lordship with, it being the Act, not of the Commission, but only of one branch of it. From the reply returned thereto, and of which, as being communicated to the Court, we have the honour to transmit a Translation, your Lordship will collect the contents of the Paper to which it is an Answer; and while we wait respectfully for your Lordship's Instructions, we are the more satisfied, from the tenour of that Answer, at having expressed ourselves as we did on this subject.

We have, &c.
(Signed) GEORGE JACKSON.
FRED. GRIGG.

First Enclosure in No. 112.

* *The Petition of Francisco Elesbão Correa Caldas, to the Judges of the Mixed Commission.*
(Translation.)

Humbly Sheweth,

Rio de Janeiro, August 23, 1834.

THAT by a Sentence of this Court, dated the 21st day of July of the current year, he was condemned as guilty of having been an importer of African people; the same Sentence expressly deciding the Petitioner to be liable to the provisions contained in the 1st Article of the Treaty of the 23d of November, 1826.

The Petitioner on referring to the afore-mentioned Article finds the following paragraph: "And the continuation of this traffic practised after the said period, by any subject of His Imperial Majesty, shall be considered and treated as guilty of piracy."

In conformity thereto, the Petitioner was condemned as a pirate; and the law proceedings in his case being referred to the jurisdiction of the Municipal Judge, for him to put the Sentence into execution, according to the terms therein prescribed, it appears that he does not know to what precise continuation of time the imprisonment of the Petitioner should extend, not having received any intimation thereupon; so that without a declaration from the judges who passed the Sentence, it cannot be defined how a decree of imprisonment is to be executed if the term thereof be not expressed.

The term is not expressed, inasmuch as the Petitioner, under sentence as a pirate, ought to be condemned according to the provision of the 82d Article of the Penal Law, by which the penalties against such crimes are prescribed.

In that Article it is thus decreed:—"Punishment for the highest degree, imprisonment during the life-time of the delinquent; for the second, imprisonment with labour during the term of 20 years, and during 10 years for the last." Ought then the Petitioner to suffer the punishment of perpetual confinement? Is he to be condemned to the intermediate degree of punishment? or is he to suffer the least degree of punishment?

It is therefore necessary, that in the Sentence which condemned the Petitioner as a pirate, the degree of penalty incurred should be declared. This has not been done, and neither the Judge nor the Petitioner knows how to proceed in the matter, being unable to ascertain the term of imprisonment.

In consideration, therefore, of the present representation, the Petitioner implores the Judges to reclaim the law process from the Executive Judge, in order that the necessary declaration required may be made; such decision, or any other, being sure to contribute essentially to the guidance and direction of the Petitioner.

(Signed) FRANCISCO ELESBAO CORREA CALDAS.
The Judges of the Mixed Commission.

Second Enclosure in No. 112.

The Minister of Justice to the Brazilian Commissary Judge.

(Translation.)

SIR,

Palace, 5th September, 1834.

I ACKNOWLEDGE the receipt of your Despatch, dated the 25th ult., in which, enclosing the Petition of Francisco Elesbão Correa Caldas, a Brazilian subject, who was declared by Sentence of the Mixed Commission to have become liable to the 1st Article of the Convention of the 23rd November, 1826, you notice that the said Sentence having been sent to the Municipal Judge to be carried into execution, he does not consider himself authorized to determine the degree of punishment

X

for piracy which the Petitioner had incurred, in reference to the Penal Code, and requesting therefore the determination of the Imperial Government, in consequence of the Petitioner requiring the decision of the Mixed Commission, which deems itself authorized to adjudicate only in conformity to the aforesaid Convention of the 23d November, 1826, and the several diplomatic acts which the same directs to be put into execution.

In answer to this representation, I have to inform you, that the aforesaid Commission, being restricted to adjudge, in conformity to the above-mentioned Convention, is not competent to decide respecting the crime of piracy; it being impossible to give this competency to the Commission without serious injury to the constitutional rights of Brazilian citizens; wherefore the Sentence in question, and all others, in like circumstances, are only to serve, regarding piracy, as an indictment upon which to found the crime, and the consequent accusation and trial of the delinquents according to the laws of the respective Countries. It is therefore necessary that you should remit to the Attorney-General an authentic copy of the Sentence, that he may denounce and prosecute the accusation of the crime which I communicate for the information of yourself, and of the Mixed Brazilian and British Commission.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Senhor João Carneiro de Campos.

No. 113.

His Majesty's Commissioners to Viscount Palmerston.—(Received Dec. 15.)

MY LORD,

Rio de Janeiro, 16th September, 1834.

WE cannot transmit the Report of the Case of the "*Santo Antonio*," the second slave-vessel taken within the last few months by the Imperial Marine, without congratulating your Lordship, in common with every friend to humanity, on the evidence these captures afford of the increasing activity displayed by the Brazilian officers in the suppression of this odious traffic. On both occasions great zeal and intelligence were manifested; and, in the instance of the "*Santo Antonio*," taken by the Brazilian schooner, "*Lebre*," Lieutenant E. A. da Veiga, Commander, the capture was not effected without the greatest difficulty and risk, owing to the very stormy weather which prevailed at the moment, and which threatened for a time the loss of both vessels.

Your Lordship is already apprized that a preliminary conviction took place in the Cases of both the "*Dois de Março*," and the "*Santo Antonio*," before the tribunals of the Country; to which we may add, that the Government have already awarded, in consequence thereof, and independent of the proceedings of the Mixed Commission, the sum of 30 milreis a head to the Captors of the latter vessel, on board of which 144 slaves were found, this being the sum decreed by the law of the 7th November, 1831.

We now proceed to transmit to your Lordship the enclosed Report of the Case.

The "*Santo Antonio*," Hypolito Jozé Vieyra, Master, sailed from hence, under Portuguese colours, in December, 1833, with a Passport from the Portuguese Vice-Consul at this port, declaring her to be the property of the above Hypolito Jozé Vieyra, subject of Her Most Faithful Majesty, Donna Maria II., to proceed to the Islands of Principe and St. Thomas, with an express declaration, however, that it was valid only to the first Portuguese port at which the vessel might touch.

Instead of going to those islands, the "*Santo Antonio*," under pretence of hearing that they were in a state of revolution, made directly for Gabao, and taking in a cargo of slaves there, returned to this coast, where the Imperial schooner, "*Lebre*," fell in with her in the vicinity of the Bar of Rio de Janeiro, before she had an opportunity of landing any of them.

Of her being engaged, therefore, in the traffic, there was no doubt; the only question was whether she was Portuguese or Brazilian.

On this point proof was adduced on the part of the Captor, that this vessel was, in the year 1832, called the "*Esperança*," that she was then employed in the coasting trade between this port and Porto Alegre, in the Province of São Pedro do Sul, that Antonio Jozé de Oliveira then figured as the Owner and Master of her, and Hypolito Jozé Vieyra as Boatswain, and that both these individuals were Brazilian citizens, the latter native, the former "adopted," and that, in virtue of a Certificate signed by 2 merchants of this place, declaring the schooner to be Brazilian property, exclusive of any foreign interest, a Brazilian Passport was granted to them; that a fictitious sale having been subsequently made by Antonio Jozé de Oliveira to Hypolito Jozé Vieyra, the name was altered to that of "*Santo Antonio*;" that they both continued in the vessel, changing only their character, and then obtained the Passport with which they sailed for the Coast of Africa, from the Portuguese Vice-Consul, the former registering himself as a Portuguese subject, native of

Lisbon, the latter as a native of Coimbra; there was a 3d party concerned in the whole of these transactions, Adolphe Richard, a Frenchman, and whom it is only necessary to mention, as showing the facility with which Certificates are obtained, and the little caution used in providing against abuses. This person is a young man, speaking but very imperfectly the Portuguese language, and whom it is only necessary to look at, to detect him at once for what he is, a foreigner, native of Nantes; and yet 2 respectable merchants came forward to pledge themselves that a vessel, of which he was part Owner, and in which he was entered as Pilot, was exclusively Brazilian.

The system of fraud thus exposed may be taken as a sample of the artifices to which the traffickers in slaves now resort, and sufficiently demonstrate the absolute necessity of some arrangement, by which the abuse of the Portuguese Flag may be counteracted, if not altogether put a stop to.

On a review of the above facts, the 2 Commissary Judges had no difficulty in setting aside the Portuguese Passport, and in pronouncing Sentence of condemnation against her, as Brazilian property, decreeing, at the same time, the emancipation of the 91 surviving slaves, 53 having died since the capture.

Herewith we have the honour to add a Translation of the same.

We have, &c.

(Signed)

GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 113.

(Translation.)

Sentence.

Rio de Janeiro, 4th September, 1834.

THE present Process and Documents thereunto annexed being examined, it appears evident that the patacho, "*Santo Antonio*," detained by the schooner-of-war, "*Lebre*," for there having been found on board 144 Africans, notwithstanding her having obtained a Portuguese Passport, granted by the Vice-Consul of Portugal, to proceed on a voyage to the Islands of Principe and São Thomé, and that she sailed therewith from this port, is Brazilian property; inasmuch as the Documents presented by the Attorney of the Captors, prove that this patacho, formerly the Argentine schooner, called the "*Rio Packet*," having been sold by Buselin to Antonio Jozé de Oliveira, and Adolphus Ricardo, these 2 persons changing her denomination to the schooner, "*Esperança*," sailed in her in the year 1832 for Porto Alegre, in the Province of São Pedro do Sul with a Brazilian Passport; the first entered as Master, and as native of Lisbon, but an adopted Brazilian citizen, as he himself declared in his first Deposition; the second as Pilot, a native of the Province of Minho, and Hypolito Jozé Vieyra, as Boatswain, a native of Porto Alegre; that the afore-named Master and Pilot presented at the Office of the Marine Department a Certificate, signed by merchants of this place, declaring the schooner, "*Esperança*," to be Brazilian property belonging to the aforesaid Master and Pilot, exclusive of any foreign interest, in consequence whereof the Brazilian Passport was granted, with which the schooner sailed for Porto Alegre as before mentioned; this being corroborated by the evidence of these 3 individuals, who declared, that they were the same mentioned in the Muster-roll, and that besides that voyage they also had made one to Montevideo: it being conclusive from all this, that as they were all of them interested in this vessel, the Bill of Sale of the said schooner, which was afterwards made in the sole name of Antonio Jozé de Oliveira to Hypolito Jozé Vieyra, Adolphus Ricardo being then also a Proprietor of the same, was no other than a fraudulent measure to which these 3 confederates resorted for the purpose of escaping the penalties established by existing Treaties between this Empire and Great Britain; because all of them continuing in the employ of the said schooner, the above-mentioned Hypolito Jozé Vieyra comes forward, on the change of the name of the patacho to that of "*Santo Antonio*," as Owner and Master of her, and then registering himself as a Portuguese subject, native of Coimbra, Adolphus Ricardo as Pilot, a native of Nantes, and Antonio Jozé de Oliveira as Coast Pilot, a native of Lisbon, they were enabled to surprise and delude, not only the Portuguese Consulate, in order to obtain the Passport of that Nation, but also the Brazilian Authorities, before which, in the preceding voyages, the first-named appeared as a Brazilian, native of Porto Alegre, and the second as a native of the Province of Minho; this deceit being the more manifest, in that Antonio Jozé de Oliveira, who in the Bill of Sale appeared as the Vendor of the schooner, "*Esperança*," to Hypolito Jozé Vieyra, in his first deposition declared, that by hearsay only, he knew that this patacho belonged to Hypolito Jozé Vieyra, which he could not afterwards confirm when the authentic Copy of the sale was shown to him. Finally, it is evident that these 3 individuals were interested in this last transaction, at least from the deposition of one of the witnesses; that, supposing themselves safe under cover of the Portuguese Flag, they engaged in the criminal traffic in slaves, to which they were destined from the time they left this port; for, having despatched the patacho to the Islands of São Thomé and Principe, to trade in ivory and wax, as they alleged, far from going thither, they went directly to Gabao, where they received the cargo of Africans who were found on board when the vessel was detained, notwithstanding the subterfuge to which the Master and Pilot resorted, declaring that it was the information they had from a Portuguese schooner, of those Islands being in a state of revolution, which determined them not to stop there, but to sail along the coast to Gabao; for in this assertion they not only contradicted each other, the one saying they met the schooner within sight of these islands, the other at Gabao; but the sailors also in their depositions before the Justice of Peace of the first District of Santa Rita, in stating that they were ignorant of the reason why the pa-

tacho did not enter the Islands, said nothing respecting the falling in with the schooner, but only stated that the first land they saw was the Island of "Anno Bom," where they laid in provisions to continue the voyage to Gabao, at which latter place the 3 persons engaged in the business purchased the aforesaid Africans in exchange for the merchandise which they had taken from this port.

Considering what is here set forth, and what further appears in the Process, it not being possible to forbear reputing the patacho to be still Brazilian, as well as the 2 individuals, Antonio Jozé de Oliveira and Hypolito Jozé Vieyra, to be Brazilian citizens, because as such they registered themselves, and engaged in the coasting trade in the said patacho under the denomination of the schooner, "*Esperança*"—the change of the national character of the second having been nothing more than a farce to which he resorted, perhaps from the habit of practising such frauds, whereby, and with the feigned Bill of Sale, to succeed in illuding, as in fact he did, the respective Authorities, in order to obtain the Passport, and thereby withdraw himself and the other confederates from the penalties determined by the Treaties; although the Passport contains an express clause to the effect that its validity should cease on the arrival of the patacho at the first Portuguese port she might enter; and it being clearly proved that on returning from Gabao her destination was direct to some one of the ports of Brazil, not only by having been discovered by the schooner, "*Lebre*," lying-to near the beach of Marambaia, but from the fact that, having previously been off the Port of Iguape, far from having navigated from that point in the direction of Monte Video, the port alleged to be that of her destination, the vessel was conducted to that shore for the purpose, perhaps, of there effecting the landing of the Africans, which certainly would have taken place had not the schooner-of-war then appeared: the plea of error in the course steered, alleged by the Pilot, being unworthy of credit on the examination of the Log-books, in which the lapse of several days is observable. The undersigned Commissary Judges declare the aforesaid Antonio Jozé de Oliveira and Hypolito Jozé Vieyra, liable to the provision of the 1st Article of the Treaty of the 23d November, 1826, to adjudge the detention and capture of the patacho "*Santo Antonio*," Brazilian property, by the Brazilian schooner-of-war, "*Lebre*," to be lawful, condemn as good and lawful Prize, in conformity with the afore-mentioned Treaty (and with the 1st section of the "*Alvará*" of the 26th January, 1818, and with the Convention dated 28th July, 1817, additional to the Treaty dated 22d January, 1815), the said patacho, her sails, tackle, appurtenances, goods, and whatsoever other things there may be on board, all for the use of the 2 Governments of His Majesty the Emperor and His Britannic Majesty; and further declare the 91 African negroes (53 having died to the present day) to be emancipated from the slavery to which they were destined, and placed at the disposal of the Government of His Imperial Majesty, to be employed as free servants or labourers, in conformity with the 5th section of the afore-mentioned *Alvará*.

(Signed)

JOAO CARNEIRO DE CAMPOS.
GEORGE JACKSON.

No. 114.

His Majesty's Commissioners to Viscount Palmerston.—(Received Dec. 26.)

MY LORD,

Rio de Janeiro, 27th September, 1834.

WE avail ourselves of the first opportunity to enclose herewith the Report of the Case of the "*Santo Antonio*," omitted, for want of time, in our preceding Number.

We have, &c.

(Signed) GEORGE JACKSON.
FRED. GRIGG.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 114.

Report of the Case of the Brazilian patacho, "Santo Antonio."

The "*Santo Antonio*" was captured in May, 1834, off the Bar of Rio de Janeiro, by the Imperial schooner, "*Lebre*," having on board a cargo of 144 slaves.

This vessel having been previously subjected to proceedings by the Local Authorities, it was not till the month of July last, that the former process being completed, and a committal for trial of the parties implicated having been made out, the Case was submitted to the Mixed Commission.

A cargo of slaves having been actually found on board, in the immediate latitude of Rio de Janeiro; the only question for the consideration of the Court was, whether the parties in the transaction, and the property concerned, were Portuguese or Brazilian.

The "*Santo Antonio*," sailed from Rio de Janeiro, in December, 1833, furnished with a Passport from the Portuguese Vice-Consul, then resident there (Jozé de Miranda), to proceed to the Islands of St. Thomas and Princes, and declaring her to be owned and commanded, without any foreign interest whatever, by Hypolito Jozé Vieyra, subject of Her Most Faithful Majesty Donna Maria II. A Declaration was added, that the Passport, so granted, should be valid only to the first Portuguese port.

The Papers in this Cause being duly filed, and the usual Monition having issued, Hypolito Jozé Vieyra claimed the vessel as his property, in proof of which he produced a Bill of Sale, made to him of the same, by Antonio Jozé de Oliveira, who, however, remained on board in the character of Coast Pilot.

Lieutenant A. I. da Veiga, Commander of the imperial schooner, "*Lebre*," deposed to having fallen in with the patacho, in the vicinity of the Bar of Rio de Janeiro, on the 10th of May last, and that having hoisted the Brazilian colours, and hailed the patacho, the latter showed the Buenos

Ayres Flag, and affected to speak Spanish, but on being boarded, presented the above-mentioned Passport.

The Master, Hypolito Jozé Vieyra, swore that he was a subject of Portugal, native of Coimbra, but admitted that he was living in Brazil at the time of, and before, the declaration of her independence, and that he was Owner of this vessel, in partnership with another person at Monte Video; that on leaving Gabao, where they were induced to go from hearing that the islands of St. Thomas and Princes were in a state of revolution, their destination was Monte Video; and, on being questioned how, in that case, it happened that he was found in *that* latitude, only replied that that was a point which regarded the Pilot, and on which he could say nothing.

The Coast Pilot, Antonio Jozé de Oliveira, swore that he was a native of Lisbon, but an adopted citizen of Brazil, by the terms of the Constitution of the Empire. The testimony of these 2 witnesses, though agreeing as to the other facts of the case, differed in this, that, whereas, one stated that they were told of the revolution in the islands of St. Thomas and Princes by a vessel which they met with, within sight of those islands; the other asserted that it was at Gabao they heard of it; thus showing that the whole story was a mere fabrication.

The sailors, on the other hand, who were examined, said nothing of meeting with any schooner, but stated, that after laying in provisions at the Island of "Anno Bom," they continued the voyage direct o Gabao.

The Proctor for the Captor having adduced full and satisfactory proof that the "*Santo Antonio*" was Brazilian property, and that the 2 individuals who alternately figured in her, first as Owner, then as Master or Pilot, were Brazilian subjects, and as such, had been recognized, and had Passports granted to them by the Brazilian Authorities; the Court, at its sitting on the 4th September, 1834, condemned the vessel as good and lawful prize to the Crowns of Great Britain and Brazil, as taken in the traffic in slaves, by the Imperial schooner, "*Lebre*," declared the aforesaid Antonio Jozé de Oliveira and Hypolito Jozé Vieyra to come under the provisions of the 1st Article of the Treaty of 23d November, 1826, and emancipated her surviving slaves to the number of 91, 53 having died since the capture.

(Signed) GEORGE JACKSON.
FRED. GRIGG.

No. 115.

His Majesty's Commissioners to Viscount Palmerston.—(Received December 26.)

MY LORD,

Rio de Janeiro, 14th October, 1834.

WE are sorry to have to state to your Lordship, that the hopes which we ventured to express, in previous Despatches, of some more effectual measures being adopted by the General Legislative Assembly, for the prevention of the importation of Africans into this Empire, have been disappointed; the Session having closed without any step whatever having been taken, and leaving matters exactly as they were.

At first, the idea of appointing Protectors of Slaves, in the different Provinces, seemed very popular, and the situation was spoken of as a source of considerable patronage; but the proposed amount of salary to be allotted to it being reduced, the various propositions of Senhor Almeida Albuquerque, in the Senate, of which the creation of such an office formed a prominent feature, seemed to have fallen to the ground; and, neither in that body, nor in the Chamber of Deputies, has any thing been done to render the Law of the 7th November, 1831, more efficient, or to adapt its provisions, either to the engagements existing between Great Britain and Brazil, or to the present state of the Slave Trade, as connected with Portugal.

The Brazilian Minister, in his double capacity of Minister of Justice and Minister for Foreign Affairs, made 2 several applications to the Chamber of Deputies, since the date of his Report, at the opening of the Session, on the subject, requiring funds for the support of such Africans as, whether by Sentence of the Mixed Commission, or in virtue of their own Law of 1831, may be declared free, and also requesting to be authorized to negotiate with the British Government, as well with reference to the adoption of an additional Article to the Convention, similar to that agreed to by the Netherlands, as respecting the reception of re-exported Africans in His Majesty's Colony of Sierra Leone—a measure which His Excellency speaks of as liable to no other difficulty than that of providing the necessary funds for their maintenance when settled in the Colony.

He, at the same time, required to be authorized to negotiate with other Powers, with a view to such Africans being received by them in their respective Colonies; and we know that Instructions have been sent for this purpose to sound the Cabinets of both Paris and Washington, as to how far they may be disposed to accede to such a measure, and that, even in the event of the overture being

favourably received, the Brazilian Minister at the former Court has been empowered to sign an agreement *sub spe rati*.

Instead, however, of these applications having the desired result, they were converted into a subject of mere personal attack on the Minister, by the opposition; and, as we have already observed, the whole business remains *in statu quo*, either to wait the ensuing Session in May next, or to be dealt with on the sole responsibility of the Executive.

The Sentence of the Court, your Lordship will have observed, places the negroes found on board the 2 vessels lately condemned at the disposal of His Majesty the Emperor, in conformity to the original Alvará; but this arrangement is said to be only temporary till their re-exportation can be arranged. In the mean time, the abuse of the Portuguese Flag has received no check from hence; so far from it, that the jury to whom the Case of the "*Maria da Gloria*" was submitted, have, we lament to say, returned a full verdict of acquittal, and restored the surviving slaves; nor does it seem likely to experience any, under existing circumstances, unless, indeed, the Decree, said to have been recently published on the part of Portugal, prohibiting any of her Colonies from trading with foreign Countries, except through the Metropolis, should be rigorously enforced. Were this to be the case, one great facility in the traffic in slaves would undoubtedly be removed.

The individual Anastasio Jozé de Ribeiro, Owner of the above-mentioned barque, "*Maria da Gloria*," and who we stated in our Despatch, of the 22d April last, had been ordered to leave this Empire within 15 days, remonstrated against the measure, and is still here, though fresh orders to the same effect have lately been repeated.

We have, &c.
(Signed) GEORGE JACKSON.
FRED. GRIGG.

SURINAM.

No. 116.

His Majesty's Commissioner to Viscount Palmerston.—(Received June 30.)

MY LORD,

Surinam, 4th May, 1834.

I HAVE the honour to acquaint your Lordship, that no slave-vessel has been sent in here, by any of His Majesty's ships-of-war, or those of His Netherlands Majesty for adjudication, for a considerable time.

I have, &c.

(Signed) CAMPBELL J. DALRYMPLE.

The Right Hon. Viscount Palmerston, G.C.B.

&c. &c. &c.

No. 117.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, July 8, 1834.

I HEREWITH transmit to you, for your information, 5 Copies of Papers marked A. and B., relating to the Slave Trade, which have this day been presented, by His Majesty's command, to both Houses of Parliament.

I am, &c.

(Signed) PALMERSTON.

His Majesty's Commissioners,

&c. &c. &c.

No. 118.

Viscount Palmerston to His Majesty's Commissioners.

GENTLEMEN,

Foreign Office, 4th August, 1834.

I HEREWITH forward to you the Commission, bearing date the 4th of August, 1834, by which His Majesty has been graciously pleased to appoint John Samo, Esq., to be His Majesty's Commissary Judge, and Campbell James Dalrymple, Esq., to be His Majesty's Commissioner of Arbitration, to the Mixed British and Netherlands Commission established at Surinam, under the Treaty concluded on the 4th May, 1818, between Great Britain and the Netherlands, for the prevention of illegal Slave Trade, and pursuant to the Acts of Parliament which have been passed for carrying that Treaty into effect. Mr. Samo will, at an early opportunity after his arrival at Surinam, take, in due form, the oath prescribed to him by the enclosed Instrument, prior to the entering upon his further duties in the character assigned to him in His Majesty's Commission of Appointment.

You will announce the Appointment to the Foreign Members of the Mixed Commission destined to act with you under the Treaty above mentioned. You will strictly follow the line of conduct pointed out in the Instructions which have heretofore been given by His Majesty's Secretary of State to His Majesty's Commissioners at Surinam, and further Instructions will, by His Majesty's command, be transmitted to you, according as Instructions may be necessary for your guidance.

I am, &c.

(Signed) PALMERSTON.

His Majesty's Commissioners,

&c. &c. &c.

LONDON:
PRINTED BY W. CLOWES AND SONS, 14, CHARING CROSS,
FOR HIS MAJESTY'S STATIONERY OFFICE.

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Class B.

CORRESPONDENCE

WITH

FOREIGN POWERS,

RELATING TO

THE SLAVE TRADE.

1834.

*Presented to both Houses of Parliament, by Command of his Majesty,
1835.*

LONDON:

PRINTED BY WILLIAM CLOWES AND SONS, 14, CHARING CROSS,
FOR HIS MAJESTY'S STATIONERY OFFICE.

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CORRESPONDENCE

WITH

FOREIGN POWERS.

SPAIN.

No. 1.

Viscount Palmerston to the Chevalier de Vial.

Foreign Office, 6th January, 1834.

THE Undersigned, &c., has received the note, which was addressed to him on the 18th of December 1833,* by M. de Vial, &c. From this note it appears, that Don Felipe Revel, Commander of the Spanish vessel the "*Xerxes*," which was condemned for Slave Trade on the 12th of July 1828, by the Mixed Commission at the Havana, had memorialized the King Don Ferdinand VII. for pardon, and that Her Majesty the Queen Regent is disposed to remit the Penalty which was imposed upon Don Felipe Revel by the Mixed Commission, provided His Britannic Majesty on his part would consent to its removal.

The Undersigned is commanded by the King, his Master, to express to M. de Vial His Majesty's desire to concur in any wish of Her Majesty the Queen Regent, and with that view the Undersigned has to request, that M. de Vial will be pleased to communicate to him the particulars of the Penalty, which it is the desire of Her Majesty the Queen Regent that His Majesty should express his concurrence in remitting

The Chevalier de Vial,
&c. &c. &c.

The Undersigned, &c.,
(Signed)

PALMERSTON.

* See Class B., No. 9, of 1833.

No. 2.

Mr. Villiers to Viscount Palmerston.—(Received 8th January, 1834.)

(Extract.)

Madrid, 23d December, 1833.

ON the 17th instant, *viâ* Corunna, I had the honour to receive your Lordship's despatch,* dated 22d November, directing me to make another earnest attempt to awaken the Spanish Government to a sense of what is due by them not only towards the British Government, but also the national character of Spain herself, upon the subject of the Slave Trade.

Previously to the receipt of the above directions from your Lordship, I had had more than one conversation with M. de Zea upon the flagrant and systematic manner in which the Treaty solemnly contracted by Spain with Great Britain for the Abolition of Slave Trade had been violated by every successive Government of Cuba; and I told His Excellency that as the Government of this Country were never slow to chastise those public servants who had incurred their displeasure, I could not but view the impunity which had, with no exception, attended the conduct of the Captains General of Cuba, as a proof that the continuance of the Slave Trade had the deliberate, though unavowed, support of the Government.

M. de Zea said that the whole subject should be immediately brought before the Cabinet, where I might be assured that there existed every disposition honestly to fulfil the engagements of Spain with the British Government. I told His Excellency that, as the question had not come before any Member of the

* See Class B., No. 8, of 1833.

(B.)

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present Cabinet of Spain, and that it was in all likelihood imperfectly known to the Council of Regency, I purposed in a few days to present a note to His Excellency, containing a review of all that has taken place upon this question subsequently to the signature of the Treaty of 1817, and I felt certain that no candid or honourable mind would fail to admit, that in order to check the continued violation of that Treaty; some further preventive measures were imperiously demanded of the Spanish Government; but, I added, His Excellency could at all events not doubt, that after the great and generous efforts lately made by the British Nation for the extinction of Slavery, that His Majesty's Government would insist upon the complete fulfilment of the engagements which already existed.

M. de Zea again repeated that the subject should be immediately considered.

(Signed)

GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 3.

Mr. Villiers to Viscount Palmerston.—(Received January 9, 1834.)

MY LORD,

Madrid, 31st December, 1833.

I HAVE the honour to enclose to your Lordship a Copy of the Note which I have addressed to M. de Zea, upon the subject of the Slave Trade now carrying on in the Spanish Possessions.

I have thought it advisable to exhibit, in the form of a continuous narrative, the total want of good faith which has been displayed by the Spanish Government, or their Agents, ever since the signature of the Treaty, together with the results of their conduct, to which I have endeavoured to prove they must have been wilfully blind.

I have begged M. de Zea's immediate attention to this Note, and I shall use all means in my power to forward its object.

I have, &c.,

(Signed)

GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 3.

Mr. Villiers to the Chevalier de Zea Bermudez.

SIR,

Madrid, December 31st, 1833.

IN the conversations which I have had with your Excellency upon the subject of the Slave Trade, my expectations have not been disappointed of hearing from you, that the Spanish Government were no less desirous to meet the wishes of England, than they were determined to fulfil those engagements to which the national honour is solemnly pledged; and before I propose to your Excellency the adoption of such steps, as appear desirable for placing on a more perfect footing the co-operation of England and Spain for the Abolition of the Slave Trade, it will be convenient, by a brief *résumé* of the Transactions in which the 2 Governments have been engaged for this great object, to exhibit the exact relations which they have maintained with each other, from the first measure taken in common by His Britannic Majesty and the King of Spain. This review of the engagements that have been entered into, of the efforts that have been made, and of the results which they have produced, seems the most just and natural mode of arriving at the consideration of such further proceedings as may appear necessary, in the event of its becoming manifest that the benevolent designs of the 2 Powers are hitherto at a lamentable distance from a state of satisfactory completion.

In the Additional Articles of the Treaty between Great Britain and Spain, signed at Madrid, the 5th July, 1814, His Catholic Majesty, "concurring in the fullest manner in the sentiments of His Britannic Majesty, with respect to the *injustice and inhumanity of the Traffic* in slaves, engaged to take into consideration, with the deliberation which the state of his Possessions in America demanded, the *means of acting in conformity with those sentiments*. His Catholic Majesty promised, moreover, to prohibit his subjects from carrying on the Slave Trade, for the purpose of supplying any Islands or Possessions, excepting those appertaining to Spain, and to prevent likewise, by effectual measures and regulations, the protection of the Spanish flag being given to Foreigners who might engage in this Traffic, whether subjects of His Britannic Majesty, or of any other State or Power."

This is the first solemn engagement on the subject of the Slave Trade entered into by the King of Spain with the British Government, and it is in perfect harmony with the declaration of the 8 Powers made shortly after at Vienna, (February 8th, 1815), in which the Plenipotentiaries of those Powers proclaimed, in the names of their respective Sovereigns, this Traffic "a scourge which has long desolated Africa, degraded Europe, and afflicted Humanity."

By the Additional Article of the 28th August, 1814, the King of Spain pledged himself to take the subject of the Slave Trade into His Royal consideration; and after a negotiation carried on with

great zeal, as well as much circumspection, a solemn Treaty was concluded on the 23d September, 1817, at Madrid, between Great Britain and Spain, having for its object the abolition of this disgraceful Traffic.

This Treaty is based on the *Additional Article* of 1814, which has just been referred to, and sets forth that His Catholic Majesty, conformably to the principles of humanity with which he is animated, has resolved to co-operate with His Britannic Majesty in adopting *efficacious means for bringing about the Abolition of the Slave Trade*.

The first Article of this Treaty secures, on the part of His Catholic Majesty, that the Traffic in Negroes shall be abolished throughout the *entire dominions of Spain*, on the 30th day of May, 1820; and that, from and after that period, it shall not be lawful for any of the subjects of the Crown of Spain to purchase Slaves, or to carry on the Slave Trade on any part of the Coast of Africa upon any pretext whatever.

On the other hand, His Britannic Majesty engaged to pay the sum of £400,000 sterling on the 20th February, 1818, to such person as His Catholic Majesty appointed to receive the same in London. The said sum of £400,000 sterling was to be considered as a full compensation for all losses sustained by the subjects of His Catholic Majesty engaged in this Traffic, on account of vessels captured previously to the exchange of the ratifications of the Treaty; as also for the losses which are a necessary consequence of the Abolition of the said Traffic.

North of the Equator, the Slave Traffic was to cease immediately on the ratification of the Treaty, giving only 6 months after the date of it for the completion of enterprises already commenced; and in the interval between the ratification and the 30th May, 1820, the Slave Trade, south of the Line, was only to be permitted under passports of an especial character.

Inasmuch as the execution of these measures demanded on the part of the Spanish Government considerable energy, and the exercise of various means to put an end to a Traffic so thoroughly established in the Spanish Colonies, the High Contracting Parties were not content only with enumerating such measures of prevention as were at the time suggested, but His Catholic Majesty bound himself, by Article 6, to "*adopt, in conformity to the spirit of this Treaty, the measures which are best calculated to give full and complete effect to the laudable objects which the High Contracting Parties have in view.*"

The Treaty established Courts of Mixed Commission for the adjudication of offences against its provisions, and accorded a mutual right of searching suspicious vessels to such ships of war of each nation as were charged with *Instructions*, for the purpose of carrying the Contract into effect, and which *Instructions* were to be considered as an integral portion of the Treaty.

By the 9th Article of the Treaty, and the 1st of the Instructions, it is stipulated that those vessels only shall be detained, and sent before the Courts of Mixed Commission, which shall be found to have *slaves on board*; "ships, on board of which no slave shall be found intended for the purposes of traffic, shall not be detained on any account or pretence whatever."

It was this clause which first exhibited the imperfection of the provisions laid down in this Treaty, and its accompanying "*Instructions*," for the effectual Abolition of the commerce in slaves. One of the first instances which occurred of seizure, was a case in which one slave alone was found aboard, the rest having been disposed of; but it soon became a practice, on a slave vessel perceiving a cruiser in chase, to run ashore, or make for the nearest cove or harbour, and there land her living cargo before she could be actually come in contact with; an evasion of the letter of the law which enabled the Slave to brave the power of his pursuer in the very act of perpetrating his crime, and, by waiting a convenient opportunity, to reship the unfortunate wretches he had put on shore, and continue his voyage with impunity.

When this defect in the provisions of the Treaty was properly represented to the Spanish Government, they agreed to an Explanatory Article, which, to a certain extent, gave efficiency to the 9th Article of the Treaty.

By this Article, the High Contracting Parties declared, "that if there should be clear and undeniable proof that a slave or slaves has or have been put on board a vessel for the purpose of illegal traffic in the particular voyage on which the vessel shall be captured, then, and on that account, according to the true intent and meaning of the stipulations of the Treaty, such vessel shall be detained by the Cruizers, and finally condemned by the Commissioners."

The provisions of the Treaty itself were made Spanish law, by Royal Cedula of the 19th December, 1817, within 3 months of the conclusion of the Treaty, and very shortly after the exchange of ratifications; not so, however, with the "*Explanatory Article*," which was never confirmed by His Catholic Majesty, and consequently never communicated to the Spanish Authorities in the Havana, or elsewhere, until the year 1826; when, under date of the 12th February, the Duke del Infantado wrote to the Minister of His Britannic Majesty at Madrid, that because "he" (Mr. Lamb) "had intimated, that, in order to complete the destruction of the illegal traffic in Slaves, it would be proper to communicate to the Authorities of the Isle of Cuba the Additional Article in question, which was neglected at the time, a neglect which kept those Authorities in ignorance of it, His Catholic Majesty, after taking the matter into consideration, had thought proper first to confirm this Article, though it had been concluded and ratified at the end of Constitutional Anarchy, because it was consonant to the spirit of the Treaty of 1817, and to the intentions of the 2 high Contracting Parties."

With the exception, therefore, of a Decree of the Cortes declaring Slave Dealing to be felony, which was afterwards annulled by the King of Spain, the only executive measures promulgated by His Catholic Majesty in furtherance of the object of the Treaty of 1817, up to the year 1826, it has been seen, were the prohibition of the trade by the Royal Cedula in the year of the Treaty, and the Explanatory Article passed in 1822, but only communicated to the Authorities in 1826.

It being found that the prohibition of His Catholic Majesty was disregarded by His subjects, and that the Traffic was pursued in the dominions of Spain to an enormous extent with perfect shamelessness, and, as far as regarded the Spanish Authorities, with almost perfect impunity, various representations were from time to time made by the different British Ministers at Madrid to the Spanish Government, calling upon His Catholic Majesty, on the faith of Treaties, and in the name of Spanish honour, to carry into effect the objects of a contract to which the Royal Authority had been sacredly pledged, and for which England, with a perfect reliance on the sincerity of the declarations of His anxiety to put an end to this infamous Traffic, had consented to make the most serious sacrifices, and

had persevered in a course of the most strenuous exertions, which, without the sincere co-operation of Spain, were perhaps even worse than useless.

These representations produced the effect that might have been anticipated from a Government so jealous of the national honour. Reiterated orders were issued by the Government at Madrid to the Authorities whom it concerned, to exercise the utmost vigilance and activity in carrying into execution the provisions of the Royal Cedula of 1817, and at the same time fresh measures and regulations were devised and adopted, which it was considered might contribute to the great end designed by the High Contracting Parties. In 1824, for instance, it having been understood that slave ships were fitted out at Cadiz, His Catholic Majesty, "though desirous to throw every possible obstacle in the way of his subjects carrying on the traffic in slaves, being yet prevented by the laws from proceeding against the masters of vessels on mere suspicion, still was pleased to resolve, that in the bond into which merchant vessels are required, pursuant to the ordinance, to enter, upon being qualified by means of the Royal Licence of Navigation, the express obligation should from that time forward be inserted of their not engaging in the Slave Trade."

Again, by a Letter, bearing date January 6th, 1826, from His Excellency the Duke del Infantado, to the British Minister, Mr. Lamb, it appears, that His Catholic Majesty adopted other "new regulations to facilitate more and more the extinction of so abominable a traffic." His Catholic Majesty at the same time decreed, that "every vessel proceeding from the Coast of Africa to a Spanish Port, should, on her arrival, deliver to the Commandant of Marine her log-book, in order that that officer might examine it, and if he found any ground for suspecting that the vessel had brought negroes, and disembarked them secretly, should immediately acquaint the Captain General of the Island, in order to ascertain the fact, and punish the offender." It was further decreed, at the same time, "that any person of whatsoever class might denounce newly-arrived negroes; and that if the informer were a slave, he should therefore be rewarded by his liberty, and the purchaser fined 200 dollars for every one so obtained. It was also ordered, by His Catholic Majesty, that the Archbishop of Cuba and the Bishop of the Havana should be "instructed to make known to the Parochial Clergy, and the inhabitants of their respective dioceses, that from the moment of the prohibition of the Slave Trade, the continuance thereof became a matter of conscience." Negroes who denounced the vessel in which they were brought, it was likewise ordered, "should be entitled to their liberty." A Royal order to this effect, of the date of January 2d, 1826, was published in Cuba, on the 11th April, 1826, by the Authorities of the Island.

It appearing that these orders had not the effect that might, under some circumstances, have been anticipated from them, on the 30th June, 1828, the Captain General of Cuba was further desired, by Royal order, to make to His Catholic Majesty "a detailed report of the ships which have sailed from the ports of the Island to the Coast of Africa since the prohibition of the Traffic; of the cargoes which they have received there, and the returns they have brought back; a statement of the vessels that have been taken during that period, whether by Spaniards or Foreigners; of the clandestine introductions which have been discovered, and of the measures that have been taken in consequence." It is added, moreover, in this Royal order, addressed to the Captain General of Cuba, that "since the expeditions to the Coast of Africa are nothing more than a pretence to cover the forbidden Traffic in slaves, your Excellency is directed to procure from the Chamber of Commerce a statement of the articles of legitimate trade which they export to that coast, of the productions of that country which are sold in the island, or received in exchange, with such further particulars as your Excellency may deem expedient, in order that, being provided with this information, the Council may advise His Majesty, as far as may be possible, what measures may be *fitting or convenient to put an end to this disgraceful Traffic.*"

No doubt can be entertained that these inquiries were instituted with a sincere desire of devising some effectual means of putting a stop to the perpetual infractions of the law, which were continually laid before the Spanish Government, and under the feeling of a wounded sense of honour on the part of His Catholic Majesty, who saw himself in the painful situation of appearing to connive at the habitual violation of a solemn Treaty. But it is greatly to be lamented that these considerations did not suggest some more cogent method of attaining this desirable object than a renewed injunction to the Authorities to observe with rigour the decrees of their august Sovereign; such, however, is the entire amount of the Royal order of March 4th, 1830, to the Captains General of Cuba and Puerto Rico.

The Government of His Britannic Majesty, feeling but little hope that the mere repetition of orders, which had so long been disregarded, was likely to produce any satisfactory result, renewed, through the British Minister at Madrid, the representations they had before felt it their duty to press upon the Government of His Catholic Majesty; the consequence of several earnest applications was another Royal order, which in a note from His Excellency the Chevalier de Salmon to Mr. Addington, dated 2d August, 1830, is described as being "more decisive than before, and commands the Captains General of Cuba to allow in no manner the provisions of the Treaty for the abolition of the Slave Trade to be evaded."

The very character of these repeated injunctions to obey the law, as well as the terms in which many of them are couched, prove but too clearly that they have in fact been disobeyed. Unhappily, however, it is in the power of His Britannic Majesty's Government to show in a more direct and striking manner, to what a lamentable extent this disobedience and contempt of His Catholic Majesty's Royal Authority has been carried in this principal colony of Cuba. The deep interest which the British Nation takes in the subject, as well as the natural anxiety for the Government to watch over the execution of the solemn compacts into which they have entered with other Governments, and which they believe to be dictated in the truest spirit of benevolence, has induced them to collect such information as to the manner in which the Slave Trade has been carried on by Spanish vessels, as cannot fail to prove to the Cabinet of Madrid that the honour of Spain is deeply implicated in at length resolving to give full force to the resolutions of the High Contracting Parties, and thus rescue the Abolition Treaty of 1817 from the bitter reproach of being no more than a mere diplomatic illusion.

It would be useless to deny that the due execution of the Treaty for the Abolition of the Slave Trade in Negroes has its serious difficulties. It is proved by the fact that the Spanish Government has made the repeated attempts, which have been enumerated, to perform its sacred promises now for upwards of 12 years, and that its failure has been signal in the face of Europe. At the same time it is now, and has been from the first, the opinion of the British Government, that a main cause of the

want of success which has attended the Executive measures directed to this object has been, that too much reliance has been placed on the apprehension of the offender in the case only of his detection in the act of crime. The means of avoiding discovery in this Traffic are in fact so various, and the habits of men employed in so degrading an occupation are so congenial with fraud, and their tempers so familiar with hazards of all, and even the most fatal, kinds, that it is vain to place confidence upon the effect of a contingent penalty. Experience has shown that the wise method of dealing with this, as with other classes of malefactors, is that of *prevention*; and such is the method which Great Britain, upon seeing the inefficacy of the provisions under the Spanish Treaty, has adopted reciprocally with other countries; and it has been attended with the happiest effects. As, in matters of civil police, such weapons are sometimes prohibited as, being worn, imply hostile intentions, and indicate that the bearer is not proposing to conduct himself as a citizen of peaceful habits, so it would be desirable that when, in suspicious latitudes, a vessel were found evidently prepared to make war against the human race (for such is Slave Dealing), that it should, on the mere inspection of its nefarious contrivances, be immediately handed over to the Authorities constituted for the adjudication of offences against the solemn acts which have been devised for the purpose of putting an end to the disgraceful trade in which they are engaged.

By the law of Spain, the act of Slave Dealing is a crime to which the most serious penalties are affixed; is it not then justifiable in discovering men, whether Spanish or English subjects, in the act, or on the very brink of committing it, for the Authorities of their respective Governments to snatch from them and declare forfeit the instrument by which they are on the point of effecting their evil purpose? In Slave Dealing, this instrument is the ship, and it is fortunate that so plain are the signs of a vessel prepared for the reception of slaves, and so distinguished is it from any other vessel, that it is hardly possible for stupidity to mistake, or for malice to pretend to mistake their character. The slave vessel is provided with chains and shackles, with moveable decks, with numerous bulkheads penetrated with air-holes, with enormous quantities of water-casks, with large supplies of rice, and other objects of negro food, which have been, in treaties with other Powers, enumerated and described in such a manner as to render the Commander of a searching vessel almost less liable to error in this than in any other similar case left in the remotest degree to his discretion.

The importance of this measure, in putting an effectual stop to this commerce, arises from the consideration that slave vessels are compelled to hover some time on the Coast of Africa, before they can complete their ill-fated cargo.* As by the law, as it exists under the Treaty between England and Spain, English and Spanish vessels are now reciprocally liable to detention and ultimate forfeiture, if slaves are actually found on board, or to have been on board; the captives are kept in huts or barracks until such time as the whole number is completed, or until a convenient opportunity of sailing occurs, when the Slaver ships his cargo with all possible speed, and contrives, by well choosing his hour and his weather, to escape the cruisers of the different countries who have stationed ships of war in those latitudes, in order to intercept the operations of these worst of pirates. The vast extent of sea over which these vessels roam for prey, the fluctuations of the weather, and the entire command which the Slaver has of his opportunities, render it as difficult a task to seize him when on the wing, as it would be easy to do so were a mutual power given and exchanged of arresting him while hovering along the shore, in waiting for the objects of his iniquitous cupidity.

It is difficult to conceive what well-founded objections can be urged against a measure so fraught with advantage, and so little liable to abuse. The mutual right of search is already granted, and detention is permitted in the case of slaves being found on board, or having been on board during the same voyage, and, in the event of proof before the Mixed Commission, the vessel is confiscated. Here the risk of abuse is as great or greater than in the case of finding a vessel prepared for the reception of slaves, while the chance of advantage is far less than it is in the case of constant recurrence and easy detection, and which has the paramount distinction of stopping the career of crime before it has arrived at the point of producing suffering.

Stipulations having this effect, of rendering vessels, manifestly fitted up as Slave Traders, mutually liable to capture and ultimate confiscation, have been introduced into the Treaties of Great Britain with the Netherlands, with Sweden, and with France (by the convention, on this subject, of the 30th November, 1831). A copy of the provision on this head, as it occurs in the Treaty with the Netherlands, accompanies this paper; and as it has been found in practice well adapted to its end, with the exception of one unessential point,† its mutual adoption by Spain and England is submitted to the consideration of the Spanish Government, as an effectual means of carrying into actual operation the Treaty by which the Spanish Monarch declared, in 1817, that the Slave Trade should cease in all the dominions of Spain, but which, from causes that have been already referred to, has remained, unhappily, to a great extent, little more than a dead letter.

In the island of Cuba, to the Authorities of which Colony some of the orders referred to have been especially directed, and to whom all were closely applicable, so true is it that the Treaty, explained and confirmed as it was by the Royal Cédulas, and repeated orders from the Spanish Government at home, has remained a mere dead letter, that the Slave Trade could not for several years past have been carried on with more activity, nor yet much more openly; though probably with some variation in matters of form. Since the signature of the Treaty of 1817, the commerce in slaves in that island has more than once sunk into comparative quiescence, from there existing an absolute glut of the unfortunate object of trade. Had the Traffic been perfectly unshackled, more than this could not have taken place.

But the reports of the movements in this hateful trade, as faithfully and constantly presented to the Government of Great Britain by the British Commissioners at the Havana, prove to demonstration that the Treaty of 1817 is practically set at nought by the Authorities of the Island; while, with an apparent respect for the Royal orders, in pretending to obey the letter, the spirit of them is altogether evaded.

Vessels regularly fitted up for Slave Dealing are continually clearing out for the Coast of Africa from the Havana; after the lapse of a sufficient time to perform a slave voyage, these vessels return into that port in *ballast*; sometimes the same vessel makes *three* such voyages in *two* years, each time

* A large cargo sometimes requires a quarter of a year.

† The space in which vessels are liable to search ought to be extended from one degree west longitude of the Coast of Africa to two.

returning in ballast. It is hardly attempted to be concealed that the conductors of these enterprises have landed their cargo in some neighbouring cove or out-port; so little mystery is indeed observed, that the precise number of slaves landed is generally a subject of notoriety; and yet, withal, every Authority remains silent. Not only do these vessels return in ballast, not only are they openly said to have landed their cargo, but they are constantly observed by British cruisers to be waiting near the Coast of Africa for the negro cargo: they are evidently prepared for its reception, they have no other commerce, and sometimes are fortunately met with and captured at sea with their slaves on board. But those which are seized in nowise differ from those that escape, and are not at all more or less known to be Slavers than the vessels which, on the completion of their voyage, the Authorities of Cuba permit to enter and quit Havana without punishment, and almost without inquiry.

In 1822, two years nearly after the period at which the foreign Slave Trade *ought* to have ceased in the Spanish dominions, 10 vessels arrived from the Coast of Africa in ballast, after having landed cargoes of slaves in the island, and 6 sailed with the same destination, equipped in all points for the Slave Trade. In 1823, 10 arrived from the same coast, and 3 sailed thither. It being seen that, so far as the Authorities of the Havana were concerned, perfect impunity existed, the adventurers took courage, and in 1824 fitted out for Africa 44 Slavers. In the same year 17 arrived at the Havana in ballast, as usual. In the year 1825, 35 Slavers entered the Havana, after having landed their cargoes, and 32 departed on the same errand. In 1826, 11 arrived and 15 sailed. In 1827, 6 arrived and 27 sailed. The announcement of the Royal Order of January, 1826, produced some apprehension on the part of the Slavers; and not until they saw that the Authorities of Cuba were as willing to permit the evasion of this as of the other orders, did they recommence their enterprises with the same hardihood. The easy expedient of taking care never to insert any mention of the cargo, or of the circumstances connected with it, in the log-book, was found enough to elude the intention of the order; the trade was revived with uncommon vigour, and subsists to this day with undiminished activity. In 1828, 18 vessels arrived at the Havana, and 63 sailed on slave expeditions. In 1829, 30 vessels arrived and 43 sailed. In 1830, 36 arrived and 29 returned. In 1831, 36 arrived and 32 sailed. In 1832, 27 vessels arrived and 31 sailed.

Thus it appears that no less than 325 regular Slavers left the Port of the Havana, between 1822 and 1832, for the Coast of Africa; and that 236 returned, every one, except 2, being in ballast! And yet the Authorities of the Island, who had been so repeatedly enjoined to put the laws in execution, never pursued a single inquiry, with the exception of one, which was conducted in a manner which rendered it a perfect mockery of justice. The existence of this connivance, not to say protection, soon became well understood by all whom it concerned; and it is to this hour the firm conviction of all persons occupied in the Slave Trade at Cuba, and other Spanish Colonies, that the Local Authorities, in covering the Traffic with immunity, only second the wishes of the Government at home. The popular opinion of the Island is, that the only hazard that the slave merchant has to encounter is that of meeting with a British cruiser; and that, this evil escaped, there rest no other grounds of apprehension. No Spanish vessel of war has yet been known to bring in a Spanish prize; while, on the other hand, it is stated, on undeniable authority, that ships of the Spanish Royal Navy have been seen, in more instances than one, to convey fleets of Slavers out of the Port of the Havana, and through the Gulf of Florida.

The vast amount to which the importation of slaves into Cuba has been carried, subsequently to the nominal abolition of the Traffic, may be gathered not only from the statements of the British Commissioners, who were very frequently able to ascertain the exact amount of each clandestine cargo (so little mystery was observed), but from a consideration of the number and nature of the vessels that have been employed in this service, and have entered the Port of the Havana in ballast. Many of these vessels are calculated to carry large numbers of slaves; but, allowing to each the low average of 250 slaves, it will appear that from 1822 to 1832 inclusive—that is to say, commencing 2 years after the time that the King of Spain had engaged by Treaty to put an end to the importation of slaves into His dominions—the Local Authorities of one Island permitted to be introduced in the neighbourhood of its principal port nearly 70,000 negro captives direct from the shores of Africa. Experienced persons calculate that, in the other ports of the Island, about half the same quantity of prohibited commerce was carried on, which will, at the same rate, make the whole importation reach the enormous amount of upwards of 100,000 individuals!

It is absurd to suppose that such a commerce could be carried on without the knowledge of the Authorities, and it is as certain that in some cases it received their protection. Not a vessel arrived which was known to have brought slaves, that was not instantly denounced by the British Commissioners, and in numerous instances the very place in which the cargo was landed was pointed out, as well as the number of negroes that had been put ashore. Still, in every instance, an investigation merely formal was instituted, and always ended in pronouncing the slaves non-existent, and the vessel free from the remotest shade of suspicion, at a time when the very officers and crew were frequently boasting of their exploits, under the very eyes of the Authorities who declared them unjustly suspected. In some cases, the persons engaged in this Traffic have been so lost to all sense of shame, as to deposit their newly-arrived slaves in "barracones" or slave-huts constructed for the reception of savage negroes, and which, previous to the abolition, were in common use. It is true that these have been put down by the Authorities when they have been denounced to them by the British Commissioners, but only then; and the history of these and similar transactions affords additional proofs that these officers will see nothing connected with this trade unless it is brought before them in a manner that they dare not deny that the object is before their eyes. These short-sighted persons have acted under the idea that though they were disobeying the injunctions of their Sovereign, and exposing his good faith to the risk of a degrading suspicion, yet that they were benefitting the Island placed under their authority. They were, in fact, promoting the interests of a number of adventurers and gamblers largely embarked in Slave Trade, and have certainly encouraged a false appearance of prosperity in the Island of Cuba, while, by the introduction of so many hordes of savage and revengeful slaves, they were in fact undermining the very existence of civilized authority in the Colony. By an excessive importation of slaves, the value of property has been generally depreciated, and it is to be feared that the foundation of insurrection, disease, and ultimate ruin, has been laid. The temporary production of some articles of commerce has been stimulated, but which, originating in superabundant labour and vague speculation, have returned upon the Island in the shape of bankruptcy and destitution. It is stated, on excellent authority, that the intelligent and respectable inhabitants of Cuba look with horror on the anticipated

consequences of this influx of fresh negroes into the Island, while they are afraid to express openly their opinions, from the fear of the violence of the characters implicated in this debasing commerce, and are bound to buy, against their conviction, and contrary to their interests, the newly-imported slaves that are perpetually being brought to their doors.

It is not, however, only to the numbers of miserable creatures actually imported into Cuba, that England, whose sole object in agitating this subject has always been one of pure benevolence, is bound to advert, but also to the vast expense of human misery and life which this importation draws along with it. Though 234 vessels have arrived at the Havana with cargoes of slaves, 325 have sailed from that port, fitted up regularly for the commerce. All have not returned: some have taken their cargoes elsewhere; a few have been captured; many have been lost, freighted with their enormous load of life; while others have fallen a prey to the rapacity of fellow-Slavers. For the traffic in slaves is not the only occupation of the miscreants engaged in this trade; they join with it piracy, accustomed as they are to ill-gotten gains; the step from smuggling the slave, to that of stealing him from the smuggler, is not great; and it is now common to see the slave vessels powerfully armed and manned, in order to seize upon such weaker ships as they may encounter freighted with captives, and thus save themselves the risk and expense of a distant voyage. The sufferings of the victims of their rapacity, while the brutal captors are contending for the possession of the prey, which not unfrequently is itself destroyed in the struggle, may be easily conceived.

Thus, the impunity with which the traffic is carried on spreads calamity far and wide. It is horrible in itself, but it is even more fatal in its consequences. Recent events have, however, at length enlightened the respectable portion of the community in Cuba; the many hundreds of negroes who, within the last few months, have been imported into that Colony, and publicly deposited in "barracones" almost adjacent to the Havana; the aggravation which they produced of the cholera at that time raging, the insurrection that ensued, and the immense loss of property which was the consequence, have exhibited in their true light the conduct of the Authorities, and the peril to which the inhabitants and their property are exposed.

Leaving then out of consideration the solemn engagements of Spain for the abolition of this system, no measure more benevolent or wise could be adopted by the Spanish Government than to put an effectual stop to all the horrid and debasing scenes which, under its involuntary sanction, are perpetrated in so many parts of the world.

It now only remains for me to invite the attention of your Excellency to the state of public opinion at this moment in England. The deep-settled honest convictions of reflecting men have produced that untiring perseverance and lasting enthusiasm, which, regardless of every obstacle; and after contending for 50 years with difficulties seemingly insurmountable, have led to the stupendous measure by which, with a sacrifice of £20,000,000 sterling, 800,000 of our fellow-creatures have been emancipated from slavery. England is justly proud to have achieved one of the most glorious events in the annals of her history. The national enthusiasm is at its highest pitch, and the nation awaits with confidence, as it will view with satisfaction, the co-operation of Spain for the extinction of this inhuman Traffic.

The Government of His Britannic Majesty, on their part, will not permit themselves to doubt that a plain and unbiassed statement of all the crime and suffering which is now permitted in defiance of the most sacred pledges, and the plainest and best understood compacts between 2 ancient Allies and friendly Powers, will not be found insufficient to animate the Spanish Cabinet with a full sense of what is due to the honour of Spain, the claims of her Ally, and the injured rights of humanity.

His Excellency Don Francisco de Zea Bermudez,
&c. &c. &c.

I have, &c.
(Signed) GEORGE VILLIERS.

No. 4.

The Chevalier de Vial to Viscount Palmerston.

(Translation.)

MY LORD,

London, 10th January, 1834.

THE Undersigned, &c., in acknowledging to His Excellency Viscount Palmerston, &c., the receipt of His Excellency's Note of the 6th instant, in which His Lordship acquaints him that His Britannic Majesty is willing to gratify Her Majesty the Queen Regent of Spain by pardoning Don Felipe Revel, and that His Majesty, for this purpose, desires to learn what penalty has been inflicted on him for the infraction of the Treaty for the abolition of the Slave Trade, cannot neglect expressing to Viscount Palmerston the satisfaction he felt at being informed of this fresh proof of the sentiments of friendship which animate the British Sovereign towards the Queen Regent, and of those of His Majesty's clemency and magnanimity to the Spanish subjects.

But the Undersigned regrets not being able to reply to His Britannic Majesty's inquiry, inasmuch as his Government, in its communication on the subject, has not specified to what kind of punishment the said Revel was sentenced, on which account he intends applying for the requisite information, and hopes that, by conveying it to Viscount Palmerston, he shall soon be capable of contributing towards the gratification of His Britannic Majesty's benignant disposition.

In the mean time the Undersigned avails himself, &c.

(Signed) JUAN DE VIAL.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

The Chevalier de Vial to Viscount Palmerston.

(Translation.)

MY LORD,

London, 10th January, 1834.

IN compliance with a Royal Order which I have just received, I have the honour to state to Your Excellency that Don Francisco Garcia Gaona, Captain of the Spanish Goleta "*Gallito*," captured in November 1829, for having carried 136 negroes, was, in 1832, sentenced by the Mixed Commission at Havana to 10 years' imprisonment in the Philippine Islands, conformably with the Treaty for the Abolition of the Slave Trade. The said Gaona having applied to the King, Ferdinand VII., a little before his decease, imploring His Majesty's permission to return to his family, Her Majesty the Queen Regent, compassionating his situation, wishes to abridge his imprisonment by remitting to him the remainder of his confinement; but as the sentence with which his crime was visited emanated from a Mixed Commission composed of English and Spanish subjects, previously to granting to him the pardon which he solicits, Her Majesty directs me to manifest to His Britannic Majesty, through the medium of your Excellency, how grateful it would prove to Her Majesty if His Britannic Majesty on his part would consent to the pardon implored by the above Gaona.

I hope that your Excellency will be instrumental in the accomplishment of these merciful wishes, and be able to return to me a satisfactory answer.

In the mean while I repeat the assurance, &c.

(Signed)

JUAN DE VIAL.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 23d January, 1834.

I HAVE received and laid before the King your Despatch of the 31st of December 1833, and I have received His Majesty's commands to express to you His Majesty's full and entire approbation of the able and masterly Note which you addressed to M. de Zea on the 31st of December last, upon the subject of the Slave Trade now carrying on in the Possessions of Spain.

His Majesty's Government hope that your luminous exposition of the continued infraction by Spanish Authorities of the stipulations of the Treaty of 1817 may at length awaken the Government of Spain to a sense of the necessity for executing the solemn engagements entered into by His Catholic Majesty, on the conclusion of the Treaty; engagements, in the strict fulfilment of which the Spanish Government must feel that they have a sacred duty to perform.

I am, &c.,

(Signed)

PALMERSTON.

G. W. F. Villiers, Esq.,

&c. &c. &c.

Viscount Palmerston to the Chevalier de Vial.

SIR,

Foreign Office, 31st January, 1834.

I HAVE had the honour to receive your Letter of the 10th instant, expressing the desire of Her Majesty the Queen Regent of Spain that His Majesty would consent to the remission of the remainder of the sentence of imprisonment of 10 years, in the Philippine Islands, passed upon Don Francisco Garcia Gaona, for having been concerned in illegal Slave Trade.

I have received the King's command to state to you that His Majesty, who will always avail himself with eagerness of every opportunity of manifesting his

regard for the Queen Regent of Spain, readily accedes to the wish which has been expressed on this subject by Her Majesty.

The Chevalier de Vial,
&c. &c. &c.

I am, &c.,
(Signed)

PALMERSTON.

No. 8.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 17th March, 1834.

THE Despatches, of which the accompanying are Copies,* from His Majesty's Commissioners at Sierra Leone and at the Havana, contain the Reports of those Officers upon that portion of the Slave Trade to which their attention has been drawn during the last year, and exhibit a distressing picture of the extent to which that disgraceful Traffic is still carried on, under the flag and upon the account of Spain, for the supply of her Colonists of Cuba.

Twenty-seven vessels, laden with negroes destined to be slaves, safely effected their return to the Port of the Havana, in the year 1833, after having landed their cargoes at the back of the Island of Cuba.

Thirty-six Spanish slave vessels sailed from the Havana, in the year 1833, for the African coast, 5 of them having openly cleared out for Slave Trading Ports on the Continent of Africa. Eight of these vessels, according to the last accounts, had returned and had landed their cargoes in Cuba.

In the same year 7 Spanish vessels, with cargoes of slaves, were captured and condemned at Sierra Leone, and 3 suffered the same fate at the Havana.

Besides this extensive traffic under the Spanish flag, the Trade in Slaves, under the Portuguese flag, which for many years had almost ceased, has again revived, roused into activity by the eagerness of the Spanish Merchants; and accordingly it appears that all the Portuguese vessels, which, during the last 3 years have been condemned at Sierra Leone for Slave Trade, were bound for Cuba.

To Spain, therefore, now belongs the disgrace, not only of continuing this traffic herself, in violation of her solemn engagements, but of having seduced another Nation, which for some time past had abandoned the practice, into a renewed participation in its guilt.

It might happen, in the course of events, that the assistance of Great Britain might be required by Spain for the protection of Cuba. But in what manner do the Spanish Government suppose that its call on such an occasion would be answered, if they permit that Island to continue to be the scene and the cause of such deliberate and extensive violation of the Treaty Engagements of Spain? And be it remembered, that those Engagements were not entered into by Spain gratuitously and upon abstract principles, but were purchased by Great Britain by the payment of a very large sum of money. I have received His Majesty's especial Commands to desire that you will remonstrate again with the Government of Spain upon this subject with all the force which the Documents now furnished to you will supply; that you will urge that Government, in the strongest manner, to conclude, without delay, the newly proposed stipulations for the more effectual Abolition of Spanish Slave Trade; and that you will, at the same time, press them to carry into execution, in the interior of Cuba itself, such measures for the fulfilment of the Treaty of 1817 as may effectually correct the abuses of which Great Britain so justly complains.

You will at the same time inform the Spanish Government, that these are the only satisfactory proofs which that Government can give of its determination to act with good faith towards Great Britain, on this important matter.

G. W. F. Villiers, Esq.,
&c. &c. &c.

I am, &c.,
(Signed)

PALMERSTON.

* See Class A. Nos. 3 and 65.

No. 9.

Mr. Villiers to Viscount Palmerston.—(Received April 24.)

MY LORD,

Madrid, 15th April, 1834.

I HAVE had the honour to receive your Lordship's Despatch of the 17th ultimo, directing me, by the special Commands of His Majesty, to renew the remonstrances which have so often been addressed to the Spanish Government, upon the Slave Trade which is still carried on between Cuba and the Coast of Africa, and upon the flagrant violation of the Engagements existing between Great Britain and Spain.

I have accordingly addressed a Note to this effect to M. Martinez de la Rosa.

I received, with feelings of pride and sincere satisfaction, your Lordship's Despatch of the 23d January, informing me that His Majesty had been graciously pleased to approve of the Note which I addressed, on the 1st of December, to M. de Zea upon this subject.

I have, &c.,

(Signed)

GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 10.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 29th April, 1834.

YOUR Despatch of the 15th instant has been received and laid before the King, and I have the King's Commands to express to you His Majesty's approbation of the manner in which you executed the instructions which, by His Majesty's Command, I gave you in my Despatch of the 17th of March last.

I am, &c.,

(Signed)

PALMERSTON.

G. W. F. Villiers, Esq.,

&c. &c. &c.

No. 11.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to you, for your information, 2 Copies of Papers, marked A. and B., relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.,

(Signed)

PALMERSTON.

G. W. F. Villiers, Esq.,

&c. &c. &c.

No. 12.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 25th July, 1834.

I HEREWITH transmit to you the Copies of Communications* which have passed between His Majesty's Government and that of France, upon the subject of the proposed invitation to Foreign Powers to accede to the 2 Conventions recently concluded between Great Britain and France, having for their object the more effectual Abolition of the Traffic in Slaves; and I have to desire that you will, by every means in your power, aid the efforts which the accredited Minister of France at Madrid may be instructed to make, on the part of his Court, to induce the Spanish Government to accede to the Conventions in question, taking care, specially, on His Majesty's part, to urge the accession of the Government

* See Class B. Nos. 67, 68, 69, 74.

of Spain to those stipulations in the Conventions between Great Britain and France, which are not contained in the Treaties which His Majesty has yet concluded with His Catholic Majesty.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
 (Signed) PALMERSTON.

No. 13.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 8th September, 1834.

WITH reference to my former communications to you, on the subject of the repeated infractions of the Treaty existing between Great Britain and Spain upon Slave Trade, I herewith transmit to you Copies* of Despatches which have been recently received from His Majesty's Commissioners at the Havana, detailing fresh instances of such infractions, committed apparently with the connivance of the Government of Cuba.

You are instructed to communicate the substance of these Despatches to the Spanish Government, renewing, in the strongest manner, the remonstrances which you have already made upon this subject, and pressing upon them the necessity of immediately adopting such measures as shall effectually secure the fulfilment of the engagements of the Spanish Crown.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
 (Signed) PALMERSTON.

* See Class A. Nos. 79, 84, 87.

No. 14.

Mr. Villiers to Viscount Palmerston.—(Received September 20.)

(Extract.)

Madrid, 9th September, 1834.

It is with feelings of sincere satisfaction that I have to inform your Lordship that M. Martinez de la Rosa has, at length, and after a careful examination of the whole subject, admitted the right of Great Britain to claim a complete execution of the Treaty of 1817, for the suppression of the Slave Trade. And His Excellency has communicated to me that he shall be prepared to agree to the additional engagements proposed, so soon as I shall receive from your Lordship the necessary powers for their signature.

(Signed) GEORGE VILLIERS.

The Right Hon. Viscount Palmerston, K. B.
&c. &c. &c.

No. 15.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 6th October, 1834.

HIS Majesty's Government have learnt with great satisfaction that the Spanish Government have at length admitted the right of Great Britain to claim a complete execution of the Treaty of 1817, for the Suppression of the Slave Trade; and that M. Martinez de la Rosa has informed you that he is prepared to agree to additional engagements proposed, so soon as you shall receive the necessary Powers to sign those Articles.

His Majesty's Government, however, having lately had their attention particularly directed to this subject, I have had occasion to prepare a Draft of a Treaty which His Majesty's Minister at Lisbon has been instructed to propose to the Portuguese Government. This Draft contains all those stipulations, which experience has shown to be best adapted, both to prevent the subjects of either of the Contracting Parties from engaging in any way whatever in the Slave Trade,

and also to render it impossible that the flag of either Party should be used with success, for the purpose of covering that Trade.

It seems to His Majesty's Government very desirable that such a Treaty should be concluded between Great Britain and Spain, and I accordingly transmit you a Draft of a Treaty adapted for that purpose, together with its 3 Annexes, A. B. and C.; and I have to signify to you His Majesty's Commands, that you propose to the Spanish Government to conclude such a Treaty with Great Britain, in order most effectually to accomplish the purposes which the 2 Governments have in view.

You will state to the Spanish Ministers, that His Majesty's Government cannot doubt that the Government of Spain is really sincere in its desire to put an effectual and entire stop to the Slave Trade, and you will express the conviction of His Majesty's Government, that such a Treaty as this will completely accomplish this purpose.

I likewise enclose Full Powers under the Great Seal, authorizing you to sign the Treaty.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
(Signed)

PALMERSTON.

No. 16.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 6th October, 1834.

WITH reference to the several Despatches which I have had occasion to address to you, on the subject of the repeated infractions of the existing Treaty between Great Britain and Spain, for the Suppression of the Slave Trade by the latter Power, I herewith transmit to you the Copy* of a further Despatch which I have received from His Majesty's Commissioners at the Havana, stating that, between the 1st July and the 11th August of the present year, no less than 6 slave vessels have sailed from, and 4 have arrived at, the Havana; and that one of the latter is said to have landed in Cuba upwards of 700 negroes.

From these facts it appears that the Slave Trade of Cuba is still carried on with great activity; and his Majesty's Government confidently trust that this statement will be considered by the Spanish Government as affording additional ground for concluding, without delay, the Treaty for the effectual suppression of the Slave Trade, of which I transmitted to you a Draft in a former Despatch of this date.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
(Signed)

PALMERSTON.

* See Class A. No. 89.

No. 17.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 6th October, 1834.

WITH reference to my Despatch of the 17th of March last, enclosing the Annual Report of His Majesty's Commissioners at the Havana, upon the Spanish Slave Trade during the year 1833, I now transmit for your information the copy of a Despatch from His Majesty's Commissioners at Sierra Leone,* containing their Observations upon the Report in question.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
(Signed)

PALMERSTON.

* See Class A. No. 11.

No. 18.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 6th October, 1834.

WITH reference to my other Despatch to you of this date, upon the subject of the proposed Treaty between Great Britain and Spain, for the more effectual Abolition of the Slave Trade, I have to desire that you will take especial care that each of the two originals of the Treaty be written and signed both in the English and in the Spanish language; the English being written on one half or column of the paper on which the Treaty is signed, and the Spanish on the other half or column of each side of the same paper; and in that original of the Treaty which you will send home, the English is to be written on the left-hand column of each side.

Your signature, which will be, in each original, beneath the English version, will, likewise, in the case just mentioned, be on the left-hand column.

You will also take care that the Spanish version of the Treaty is throughout as accurate a translation as possible of the English Draft, and exactly conformable throughout, to the meaning of that Draft.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
 (Signed)

PALMERSTON.

No. 19.

Viscount Palmerston to Mr. Villiers.

SIR,

Foreign Office, 17th October, 1834.

WITH reference to my Despatch of the 6th instant, on the subject of the activity with which the Slave Trade is now carried on with the Island of Cuba, I transmit to you the Copy of a further Despatch* which I have received from His Majesty's Commissioners at the Havana; from which it appears that 4 slave vessels have arrived at, and 2 have sailed from the Havana, between the 20th of August and the 22nd September last.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
 (Signed)

PALMERSTON.

* See Class A. No. 91.

No. 20.

The Duke of Wellington to Mr. Villiers.

SIR,

Foreign Office, 31st December, 1834.

HIS Majesty was pleased, on the 17th November 1834, to appoint Edward Wyndham Harrington Schenley, Esq., to be His Majesty's Commissioner of Arbitration, in the room of Charles Mackenzie, Esq., to the Mixed British and Spanish Commission established at the Havana, under the Treaty between Great Britain and Spain of the 23d September, 1817.

I have to desire that you will announce this appointment to the Government of the Queen Regent of Spain, and request that orders may be sent out to the Havana, for a formal recognition of Mr. Schenley in the character above mentioned.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
 (Signed)

WELLINGTON.

No. 21.

The Duke of Wellington to Mr. Villiers.

SIR,

Foreign Office, 31st December, 1834.

IT appears from your Despatch of the 9th September last, that M. Martinez de la Rosa "admitted the right of Great Britain to claim a complete

execution of the Treaty of 1817, for the suppression of the Slave Trade," and "was prepared to agree to the additional engagement proposed for the more effectual Abolition of Spanish Slave Trade."

It appears also from Correspondence in the Archives of this Department that a Despatch, transmitting a Draft of a Treaty for the more effectual abolition of the Trade and Full Powers for the signature of the same, was addressed to you on the 6th October, last.

Not finding, in your subsequent Despatches, any report of the steps which you have taken upon this subject, and His Majesty's Government being very desirous of the early success of your efforts to induce the Spanish Government to concur in the only measures by which, as they firmly believe, the carrying on of the Slave Trade, under the Spanish Flag, can be effectually and entirely suppressed, in accordance with the solemn stipulations to which the Crown of Spain has stood so long pledged,—I am to desire that you will acquaint me with the progress of the Negotiation on this subject; and that you will not cease to press this matter upon the immediate attention of the Spanish Government, more especially as the final and satisfactory conclusion of it appears from the accounts which are received by every successive mail from the Havana, to become more and more indispensable.

G. W. F. Villiers, Esq.
&c. &c. &c.

I am, &c.,
(Signed)

WELLINGTON.

P O R T U G A L.

No. 22.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to your Lordship, for your information, 2 Copies of Papers, marked A. and B., relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

Lord Howard de Walden,
&c. &c. &c.

I am, &c.,

(Signed)

PALMERSTON.

No. 23.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 25th July, 1834.

I HEREWITH transmit to your Lordship the Copies of Communications* which have passed between His Majesty's Government and that of France, upon the subject of the proposed invitation to Foreign Powers to accede to the 2 Conventions recently concluded between Great Britain and France, having for their object the more effectual Abolition of the Traffic in Slaves; and I have to desire that you will, by every means in your power, aid the efforts which the accredited Minister of France at Lisbon, may be instructed to make on the part of his Court to induce the Portuguese Government to accede to the Conventions in question, taking care specially on His Majesty's part, to urge the accession of the Government of Portugal to those stipulations in the Conventions between Great Britain and France, which are not contained in the Treaties which His Majesty has yet concluded with Her Most Faithful Majesty.

Lord Howard de Walden,
&c. &c. &c.

I am, &c.,

(Signed)

PALMERSTON.

* See Nos. 67, 68, 69, 74.

No. 24.

Lord Howard de Walden to Viscount Palmerston.—(Received August 24.)

MY LORD,

Lisbon, 16th August, 1834.

I HAVE the honour to acknowledge your Lordship's Despatch of the 25th ultimo, instructing me to support the Minister of France in his attempts to induce the Portuguese Government to adopt more effectual measures for the Suppression of the Slave Trade.

Baron Mortier informs me, that he has as yet entered into no negotiation with the Portuguese Government, and he is to communicate with me, previous to opening the subject with M. Freire.

I have, &c.

(Signed)

HOWARD DE WALDEN.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 25.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 8th September, 1834.

THE Predecessors of the present Sovereign of Portugal have already expressed, in solemn Declaration, their wish and intention to put an end to the Traffic in Slaves.

By the Convention of 1815, with Great Britain, Portugal engaged "to determine, by a separate Treaty, the period at which the Trade in Slaves shall universally cease and be prohibited, throughout the entire Dominions of Portugal;" and further engaged "that during the interval, it should not be lawful for Portuguese subjects, or for the Portuguese flag, to be engaged in the Slave Trade, excepting for the purpose of supplying the Transatlantic Possessions belonging to the Crown of Portugal."

Brazil has, since that period, been recognised by the Mother Country as forming a State distinct and separate from Portugal; and from the moment of that recognition, the Trade by Portuguese subjects, and under the Portuguese flag, became indisputably illegal.

During the period which was to elapse before the formal Abolition of Portuguese Slave Trade, Portugal, under the Convention of 1817, with this country, intrusting to British cruisers and British Authorities, in common with her own, the execution of that part of the Treaty which stipulated for the Abolition of Slave Trade to the north of the Equator, reserved to herself the power of detaining vessels, and of punishing offenders found, to the south of that line, illegally trading in slaves.

It will be seen by Sir William A'Court's Despatch to Mr. Secretary Canning, of the 3d October, 1826, and by the Note from M. D'Almeida, of the 2d of the same month, therein enclosed, that, at that period, the Portuguese Government, following up the principle laid down in the Treaty of 1815, formally declared, that "it acknowledges that the moment is now come, to put an end to the inhuman Traffic in Slaves;" and added, that "it would have no objection to insert in a Treaty, then contemplated, an Article by which His Most Faithful Majesty should bind himself, not only to the total Abolition of the Slave Trade in the Dominions of Portugal, but also to co-operate with His Britannic Majesty for the total extinction of so barbarous a Traffic, in the countries where it unfortunately exists."

His Majesty's Government, in consideration of the peculiar circumstances in which the Crown of Portugal has been placed since the period above mentioned, have refrained from pressing for the conclusion of a Treaty thus already stipulated for; but the time is now happily arrived at which the affairs of Portugal no longer oppose any impediment to the fulfilment of this engagement; and I have therefore the honour now to transmit to your Lordship the Draft of a Treaty, containing the details of arrangements by which the entire Abolition of the Portuguese Slave Trade may be carried into full execution, by the co-operation of both Powers.

I have to instruct you, to enter with the Government of Portugal, into negotiations for concluding, with the least practicable delay, a Treaty, founded on the basis laid down in the accompanying Draft and its 3 Enclosures A., B., and C.; and your Lordship will state to the Portuguese Ministers, that His Majesty's Government cannot doubt that Portugal will be eager to redeem, by the conclusion of such a Treaty, the pledges to which I have adverted.

I am, &c.,

(Signed)

PALMERSTON.

Lord Howard de Walden,
 &c. &c. &c.

No. 26.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 8th September, 1834.

WITH reference to my other Despatch to your Lordship, of this date, upon the subject of the proposed Treaty between Great Britain and Portugal, for the more effectual Abolition of the Slave Trade, I have to desire that you will take

especial care that each of the 2 originals of the Treaty be written and signed, both in the English and in the Portuguese language; the English being written on one half or column of the paper on which the Treaty is signed, and the Portuguese on the other half or column of each side of the same paper; and in that original of the Treaty which you deliver up to the Portuguese Minister, the English is to be written on the left-hand column of each side.

Your signature, which will be in each original beneath the English version, will likewise, in the case just mentioned, be on the left-hand column.

You will also take care that the Portuguese version of the Treaty is throughout as accurate a translation as possible of the English Draft, and strictly conformable throughout to the meaning of that Draft.

I am, &c.,

Lord Howard de Walden,
&c. &c. &c.

(Signed)

PALMERSTON.

No. 27.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 23d September, 1834.

HIS Majesty's Minister at Rio de Janeiro was recently instructed to call the attention of the Brazilian Government to certain circumstances in the case of the Portuguese brigantine, "*Virtude*," condemned, in the month of November, 1833, at Sierra Leone, upon a charge of being concerned in illegal Slave Trade, and to point out to that Government the apparent negligence of the Authorities at Bahia, not only in permitting the "*Virtude*" to be fitted out at that Port, in the particular manner which clearly indicates the destination of a vessel to be for Slave Trade, but also in omitting to enforce the observance of certain formalities, specially prescribed, for the prevention of that traffic.

In reply to the Representation made by Mr. Fox on this subject, the Brazilian Minister observes that, amongst the various difficulties which the Brazilian Government has to contend with in its efforts for the extinction of the African Slave Trade, one of the most embarrassing arises from the shameful conduct of the Portuguese Authorities, in the Colonies of Her Most Faithful Majesty, on the Coast of Africa, who continue to furnish the Masters of vessels employed in that infamous Traffic with fraudulent certificates of nationality.

The Brazilian Minister adds, that he has already addressed urgent remonstrances upon this subject to the Portuguese Legation at Rio de Janeiro, and His Excellency requests Mr. Fox to assist in obtaining, through the intervention of His Majesty's Government, the adoption of such measures on the part of the Government of Her Most Faithful Majesty, as may lead to a discontinuance of the nefarious practices above denounced.

I enclose to your Lordship Copies of the Correspondence* on the subject to which I have here referred.

The evidence which this Correspondence contains, of the misconduct of the Portuguese Authorities on the Coast of Africa, is amply confirmed by information which His Majesty's Government has recently obtained from other sources, that the success and impunity with which the Slave Dealers on the Coast of Brazil are enabled to carry on their abominable Traffic may be almost entirely ascribed to their abusive assumption of the Portuguese flag.

I have to instruct your Lordship to avail yourself of the additional argument which is thus furnished, to prove the necessity of the Treaty with the Portuguese Government, of which I transmitted to your Lordship a Draft in my Despatch, of the 8th instant.

I have, &c.,

Lord Howard de Walden,
&c. &c. &c.

(Signed)

PALMERSTON.

* See No. 43.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 7th October 1834.

THE enclosed Report* from His Majesty's Commissioners at Sierra Leone, states that the Portuguese Slave Trade, which for many years past had been almost unheard of, appears now to be carried on to a greater extent than it had reached, even before Brazil had ceased to belong to Portugal; and the accompanying Despatches,* more recently received from His Majesty's Commissioners at Sierra Leone, give an account of a very flagrant instance of that Trade.

The "*Maria da Gloria*" cleared out on the 25th October, 1833, from St. Paulo de Loando, in Angola; she carried documents signed by the Governor of Angola, purporting that proof had been given that her Master, J. G. Cordonij, and her Owner, A. J. Ribeiro, were Portuguese subjects.

She had no passport for Slave Trading, and her clearance afforded no ground for supposing that she was laden, or intended to be laden, with slaves.

Her official documents stated, on the contrary, that she was to be laden with gum, hides, and mats, and a very insufficient cargo of these articles was found on board of her.

The Master bound himself to the Portuguese Authorities, under a heavy penalty, that the vessel should pursue her destined voyage from Loando to Rio de Janeiro, without deviating from her direct course from Loando to her ultimate destination, and without taking away any person whatever from the place of her departure, without the special permission of the Governor General of the Province.

It appears, however, upon the evidence before the Commissioners at Sierra Leone, that 432 slaves were taken on board, some of them at Loando itself, on the very day on which the bond and clearance were made out, and the rest, outside the bar of that place, 2 days afterwards.

Either, therefore, the Governor must have permitted the exportation of the slaves, or else the Master must have violated his engagement on the very day on which he bound himself to its observance, and at the very place where the Authorities for enforcing it resided.

But all this cannot well be imagined to have taken place without the knowledge and connivance of the Authorities themselves.

In 4 weeks and 2 days from the date of the clearance, the vessel was met with, near the harbour of Rio de Janeiro, with her cargo of negroes on board.

She was there detained by His Majesty's Ship "Snake," and carried, in the first instance, to Rio de Janeiro, and afterwards to Sierra Leone, for adjudication.

When the case was heard before the Court of Mixed Commission at Sierra Leone, the Master was guilty of gross prevarication, and even of direct perjury, in the evidence which he gave.

Notwithstanding, however, all the circumstances attending the case of the "*Maria da Gloria*," the Commissioners at Sierra Leone felt themselves bound to release that vessel, since the Treaty permits the detention of Portuguese slave vessels in those cases only in which they are found to the North of the Line.

If the Government of Portugal denies to others the power to detain, in particular latitudes, Portuguese slave vessels engaged in a trade which is now confessedly illegal, surely a heavy obligation rests upon that Government to put a stop *themselves*, by measures of prevention and punishment, to the prosecution of Portuguese Slave Trade in those latitudes.

The British Commissioners, who, in consequence of the absence of the Portuguese Functionaries, were obliged, in this particular case, to act as Commissioners for both Governments, were induced, by that circumstance, to leave to the ultimate decision of the Governments of the 2 countries the question as to the costs and expenses claimed by the Portuguese Owner.

These expenses were incurred partly for the subsistence of the crew and of the negroes during the further prosecution of the voyage of the "*Maria da Gloria*."

To allow these expenses, would therefore in fact be to contribute an aid towards the ultimate success of the illegal expedition. But His Majesty's Government never can consent to the payment of anything whatever, in the

* See Class A. Nos. 3, 34, 35.

shape of compensation, to those offending parties, for any losses or expenses incurred by them in such an undertaking.

The Claimant was engaged in a proceeding that was in violation of the laws of God and man; it was undertaken in fraud, and defended by perjury; and he escaped the punishment due to his crime, not because he did not deserve to suffer it, but because he was found in a place, where, under the strict letter of the Treaty, he was not liable to be detained.

His Majesty's Government will not for a moment suppose that the Government of Portugal, on whom rests the obligation of punishing the offenders, will, instead thereof, be inclined to assist them in obtaining compensation for their losses.

His Majesty's Government, moreover, expect that the Portuguese Government will issue immediate and peremptory orders to institute a rigid inquiry into the affair in question, in order to ascertain what Portuguese subjects were concerned in, and what Portuguese Authorities connived at, this illegal transaction, and in order that the offenders may not be suffered to escape without the severe punishment which is due to their crimes.

I am, &c.,

(Signed)

PALMERSTON.

Lord Howard de Walden,
&c. &c. &c.

No. 29.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 7th October, 1834.

I TRANSMIT to your Lordship the Extract of a Despatch* from His Majesty's Commissioners at Sierra Leone, enclosing their Report of the case of the Portuguese brig "*Tamega*," Jozé Lopes Ferreira, Master, which was condemned, on the 12th of July, 1834, in the Mixed British and Portuguese Court at Sierra Leone.

By the evidence of the Master of the "*Tamega*," it appears that both vessel and cargo were the sole property of "Jozé Manuel Machado," a Portuguese Merchant, residing at Lisbon; with whom the Master corresponded as to the employment of the brig, and from whom he received his pay.

It further appears, that the Master, his wife and family, are residents at Lisbon.

Your Lordship will bring these facts to the notice of the Portuguese Government, and you will state that His Majesty's Government cannot doubt that the Portuguese Government will avail themselves of this opportunity to manifest their sincere determination to suppress the illicit trade by punishing, with the utmost rigour of the law, both the Owner and Master of the "*Tamega*."

I am, &c.,

(Signed)

PALMERSTON.

Lord Howard de Walden,
&c. &c. &c.

* See Class A. No. 39.

No. 30.

Viscount Palmerston to Lord Howard de Walden.

MY LORD,

Foreign Office, 7th October, 1834.

I TRANSMIT to your Lordship the Extract of a Despatch* which I have received from His Majesty's Commissioners at Sierra Leone, stating, that, having ascertained that the Master of the "*Santissimo Rozario e Bom Jesus*," and the Master and Mate of the "*Apla*," 2 vessels which had been condemned on the 25th of June, in the Mixed British and Portuguese Court, were on their passage to return to the Island of Princes, to which place they and their said vessels belonged,—His Majesty's Commissioners had, in consequence, addressed a Letter to the Portuguese Governors of Princes and St. Thomas, bringing under their notice this open violation of the Treaties between Great Britain and Portugal, by persons residing, with their families, within the limits of their command.

His Majesty's Commissioners further state, that they have reason to fear that

* See Class A. No. 40.

this Communication will not be attended to by the Portuguese Officers to whom it is addressed.

I have therefore received His Majesty's Commands to desire you to bring the facts of this flagrant violation, both of the Laws of Portugal, and of the existing Treaties between that Country and Great Britain, under the notice of the Portuguese Government, and that you will urge them to give the most positive orders for the infliction of the punishment which the individuals alluded to, have incurred in transgressing the Laws of Portugal.

I am, &c.,
 Lord Howard de Walden, (Signed) PALMERSTON.
 &c. &c. &c.

No. 31.

Lord Howard de Walden to the Duke of Wellington.—(Received Dec. 31.)

MY LORD DUKE,

Lisbon, 20th December, 1834.

I HAVE the honour to transmit to your Grace a Translation of the Answer which I have received from Count Villa Real, to 3 Notes which I addressed to His Excellency on the 20th October, on the subject of the infraction, by Portuguese subjects, of the Treaties existing between Great Britain and Portugal for the prevention of the Traffic in Slaves.

I have, &c.,
 (Signed) HOWARD DE WALDEN.
His Grace the Duke of Wellington, K.G.,
 &c. &c. &c.

Enclosure in No. 31.

(Translation.)

The Conde de Villa Real to Lord Howard de Walden.

MY LORD,

Palace of Necessidades, 16th Dec., 1834.

ON account of some searches which it was necessary to make, I have delayed replying to Notes which your Lordship addressed to me, under the Nos. 62, 63, and 64, all relating to infractions of the Convention of 28th July, 1817, which regulated the manner in which it was permitted to the Portuguese Colonies on the Coast of Africa, to continue the Slave Trade until the period therein specified. In conformity with the requests of your Lordship, contained in the above-mentioned Notes, I have now the honour to inform you, that, with regard to the first, I have written to the Minister of the Interior, in order that the penalties of the Law of 26th January, 1818, promulgated in consequence of the Convention, may be inflicted on the Proprietor, Master, and others interested in the cargo of the brig "*Tamega*," captured on the 14th June, 1834, by Lieutenant Samuel Mercer, commanding His Britannic Majesty's brig, "*Carybdis*," and declared a good prize by the Mixed Commission at Sierra Leone, on the 12th July last.

I wrote, at the same time, to the Minister of Marine, requesting, in compliance with your Lordship's Note No. 63, that he would give the most positive and peremptory orders to the Governors of the Islands of St. Thomas and Principe, or to the persons who perform their duties, to attend to the request which was made to them on the part of the Members of the Mixed Commission established at Sierra Leone, with regard to the 2 vessels, the "*Apta*" and "*Santissimo Rozario e Bom Jesus*," both condemned by the said Commission, on the 25th June, 1834.

With respect to the vessel "*Maria da Gloria*," to which your Lordship's Note No. 64 relates, the intervention of Her Majesty's Government has not been asked on the part of the Proprietor, to obtain indemnification of the costs of the trial, in which he was finally acquitted. Her Majesty's Government, however, whilst they will proceed to institute the most strict inquiries in order to discover the connivance which appears to have existed on the part of the Portuguese Authorities at Angola, at the transgression of the laws and regulations by which the Slave Trade is regulated, that they may be punished with all the rigour of the law, cannot omit observing to your Lordship, that both by the above-mentioned sentence, and by the tenour of your Lordship's Note, it appears, that the Commander of the brig "*Snake*," acted against the express letter of the Treaty, in detaining the vessel; and although Her Majesty by no means desires to promote or encourage the illegal Trade in Slaves, she has every right to insist on the observance of the Treaties concluded with regard to it as long as they are not annulled.

I regret much not being at present able to send a decisive answer, with respect to the project of a Treaty for the abolition of the Slave Trade, to which your Lordship's Note No. 60 relates, but the great labour and loss of time caused by the debates in the Chambers, have prevented a Resolution being come to, which, however, I will communicate to your Lordship as early as possible.

God preserve your Lordship,
 Lord Howard de Walden, (Signed) CONDE DE VILLA REAL.
 &c. &c. &c.

No. 32.

The Duke of Wellington to Lord Howard de Walden.

MY LORD,

Foreign Office, 31st December, 1834.

I HAVE to transmit to you the accompanying Copy of a Despatch* which has been received at this Office from His Majesty's Commissioners at Sierra Leone, reporting the case of the Portuguese slave schooner "*Apta*," and calling the attention of His Majesty's Government to the connivance which the Portuguese Authorities at Princes and St. Thomas continue to show to the worst description of illegal Slave Trade, and to the fact, in this case, that the vessel was only 30 feet long, and 11 feet in beam, and had on board a crew of 10 persons and 1 passenger, besides 54 slaves, making altogether 65 persons in this small vessel.

I earnestly hope that, in the interval which may elapse before the conclusion of the Treaty, of which a Draft was sent out to you, on the 8th of September, 1834, for the effectual Suppression of Portuguese Slave Trade in every part of the world, the Portuguese Government will not hesitate to do their utmost to mitigate the horrors of that abominable traffic, by enforcing most strictly the penalties of the Portuguese law for restricting the number of negroes to be conveyed in a vessel according to her tonnage or burthen.

I cannot omit this opportunity of expressing the anxiety of His Majesty to learn that the Portuguese Government will fulfil the expectations which have been so long held out; and that Portugal will at length, by the conclusion of the Treaty now in your hands, efface the stain which will rest upon her flag so long as the Slave Trade of Portugal shall last.

I am, &c.,

Lord Howard de Walden,
 &c. &c. &c.

(Signed)

WELLINGTON.

* See Class A. No. 36.

NETHERLANDS.

No. 33.

Viscount Palmerston to the Honourable G. J. Jerningham.

SIR,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to you, for your information, 3 Copies of Papers, marked A. and B., relating to the Slave Trade, which have this day been presented by His Majesty's Command to both Houses of Parliament.

I am, &c.,

The Honourable G. J. Jerningham,
&c. &c. &c.

(Signed)

PALMERSTON.

No. 34.

Viscount Palmerston to the Honourable G. J. Jerningham.

Foreign Office, 5th July, 1834.

(AN Instruction similar to those sent to Mr. Villiers and to Lord Howard de Walden, of this date.)—See Nos. 12 and 23.

No. 35.

The Duke of Wellington to the Honourable G. J. Jerningham.

SIR,

Foreign Office, 31st December, 1834.

HIS Majesty was pleased, on the 4th August, 1834, to appoint John Samo, Esq., to be His Majesty's Commissary Judge, in the room of John Henry Lance, Esq., to the Mixed British and Netherland Commission, established at Surinam, under the Treaty between Great Britain and the Netherlands, of the 4th of May, 1818.

I have to desire that you will announce this appointment to the Government of the King of the Netherlands, and request that orders may be sent out to Surinam, for a formal recognition of Mr. Samo in the character above mentioned.

I am, &c.,

The Honourable G. J. Jerningham,
&c. &c. &c.

(Signed)

WELLINGTON.

BRAZIL.

No. 36.

Viscount Palmerston to Mr. H. S. Fox.

SIR,

Foreign Office, 24th February, 1834.

I HEREWITH transmit to you the Copy* of a Communication which I have received from His Majesty's Commissioners at Sierra Leone, respecting the case of the Portuguese brigantine "*Virtude*," which vessel was adjudged and condemned on the 21st of November last, at Sierra Leone, on a charge of having been concerned in illegal Slave Trade.

Upon an examination of the circumstances of this case, it appeared that the Authorities at Bahia permitted the vessel to be completely fitted out in that particular manner, and with those additional equipments, which clearly indicate that a vessel is intended expressly for Slave Trade.

It appears also that the vessel was despatched from Bahia, without having passed through the formality of being visited by the proper Officer, a formality which was prescribed specially for the purpose of checking the Slave Trade.

It appears, moreover, probable that illegal voyages, similar to that on which this vessel was captured, have been made by her previously to her capture, and that at least one of those former voyages took place from Bahia.

Under these circumstances, I have to desire that you will call the attention of the Government of Brazil to the apparent supineness of the Authorities at Bahia in the performance of their duty of suppressing the Slave Trade; and that you will request that Government to enforce, in future, a more effectual execution of the compacts which they have entered into, in fulfilment of the assurances which they have since given, that they will contribute their utmost efforts to the final Abolition of that Trade, so far as the Brazilian Territories are concerned.

I am, &c.,

H. S. Fox, Esq.,
&c. &c. &c.

(Signed)

PALMERSTON.

* See Class A. No. 30.

No. 37.

M. Ribeiro to Viscount Palmerston.

York Terrace, le 23 Juillet, 1834.

LE Soussigné, &c., a reçu l'ordre de sa Cour d'appeler de nouveau l'attention du Gouvernement de Sa Majesté Britannique sur le cas du brick Brésilien "*Activo*," capturé sur la Côte d'Afrique par le navire du Roi "*Atholl*," le 11 Février, 1826.

Puisque cette capture s'était effectuée en contravention des stipulations qui existaient alors entre les 2 Gouvernemens sur la Traite des Nègres, la Commission Mixte de Sierra Leone a prononcé sur ce cas le Jugement qui suit :

"The said Commissary Judge and Commissioner of Arbitration having heard the said claim and proofs read, admitted the said claim; pronounced the said brig, "*Activo*," cargo, and slaves to belong as claimed; and, conformably to the provisions of the Treaty, decreed the same to be restored to the Claimant for the use of the Owner and Proprietor thereof, together with the costs, damages, and expenses incurred in consequence of the aforesaid seizure; and referred it to the Registrar to ascertain the amount thereof, and report the same to the Commission."

Les sommes qui ont été fixées en vertu de ce Jugement sont :

£	s.	d.	
256	2	8	pour frais de justice, dommages espécels, et dépenses occasionées par la détention du dit brick.
654	0	0	pour indemnité de retard.
9,983	15	0	pour la perte totale de 163 nègres enfuits pendant la détention du navire.
150	0	0	pour les intérêts du capital employé à l'achat et entretien de la cargaison.

De ces 4 sommes le Soussigné est informé que la première a déjà été payée, ayant été adjugée sans condition, mais pour ce qui regarde les 3 dernières, la Commission ne les a décernées que sous la Clause, "That British and Brazilian Governments agree and declare that the said sums ought to be so paid according to the true intent and meaning of the said Convention (du 28 Juillet, 1817) between Great Britain and Portugal, for the Abolition of illicit Slave Trade, but not otherwise."

Cette Clause, dont la Commission a fait dépendre le paiement de ces 3 dernières sommes, adjugées à titre de compensations, a donné lieu à la Note que Mr. Gordon a adressée au Gouvernement Brésilien, en date du 5 Juillet, 1827, pour lui proposer la décision de cette affaire, moyennant l'addition de 2 Articles explicatifs à la Convention ci-dessus mentionnée; mais le Gouvernement Brésilien se persuade que l'Abolition totale de la Traite des Nègres, agréée par la Traité du 23 Novembre, 1826, en obviant à la nécessité des Articles proposés, doit avoir aplani toutes les difficultés de la part du Gouvernement Britannique, et conséquemment il a ordonné au Soussigné de réclamer de Son Excellence Monsieur le Viscomte Palmerston, &c., l'expédition des ordres nécessaires pour le paiement des compensations adjugées, et des intérêts qui en sont dûs en vertu du Règlement annexé à la Convention de 1817; et il le fait par cette Note, dans la ferme persuasion que la disposition de l'Article 4 des Instructions annexées à la même Convention, ainsi que le Jugement de la Commission qui s'y appuie, sont des titres plus que suffisants pour décider le Gouvernement de Son Excellence à agréer sans hésiter au paiement des sommes réclamées.

Le Soussigné, &c.,

(Signé)

J. DE ARANJO RIBEIRO.

Son Excellence le Viscomte Palmerston, G.C.B.,

&c.

&c.

&c.

(Translation.)

York Terrace, 23rd July, 1834.

THE Undersigned, &c., has been directed by his Court to call again the attention of the Government of His Britannic Majesty to the case of the Brazilian brig "*Activo*," captured on the Coast of Africa, on the 11th of February, 1826, by His Majesty's ship, "*Atholl*."

This capture having been effected in contravention of the stipulations then subsisting between the 2 Governments on the Slave Trade, the Mixed Commission of Sierra Leone pronounced the following judgment on this case:

"The said Commissary Judge and Commissioner of Arbitration having heard the said claim and proofs read, admitted the said claim; pronounced the said brig, "*Activo*," cargo, and slaves, to belong as claimed; and, conformably to the provisions of the Treaty, decreed the same to be restored to the Claimant, for the use of the Owner and Proprietor thereof, together with the costs, damages, and expenses incurred in consequence of the aforesaid seizure, and referred it to the Registrar to ascertain the amount thereof, and report the same to the Commission."

The sums fixed in virtue of this appointment are:

£.	s.	d.	
256	2	8	for judicial costs, special damages, and expenses occasioned by the detention of the said brig.
654	0	0	for indemnification of delay.
9,983	15	0	for the total loss of 163 negroes, escaped during the detention of the vessel.
150	0	0	for interest on the capital employed in buying and maintaining the cargo.

Of these 4 sums the Undersigned is informed that the first has already been paid, having been adjudged without any condition; but, respecting the 3 last, the Commission decreed them only with the proviso, "That the British and Brazilian Governments agree and declare that the said sums ought to be so paid, according to the true intent and meaning of the said Convention (of 28th July 1813,) between Great Britain and Portugal, for the Abolition of illicit Slave Trade, but not otherwise."

This Clause, in which the Commission left the payment of the last 3 sums, adjudged by way of compensations, depending, gave occasion to a Note, addressed by Mr. Gordon to the Brazilian Government, 5th July, 1827, proposing to decide this point by the addition of 2 explanatory Articles to the Convention above mentioned; but the Brazilian Government is persuaded that the total Abolition of the Slave Trade, agreed upon by the Treaty of 23d November, 1826, by preventing the necessity of the proposed Articles, must have removed all difficulties on the part of the British Government, and has therefore directed the Undersigned to apply to His Excellency Viscount Palmerston, &c., to issue the necessary orders for the payment of the adjudged compensations, and the interest due on them, in virtue of the Regulation annexed to the Convention of 1817; and he does so by the present Note, being convinced that the provision of Article 4 of the Instructions annexed to that Convention, as well as the Sentence of the Commission which refers to it, will furnish ample reasons for determining the Government of His Excellency to agree, without hesitation, to the payment of the sums claimed.

The Undersigned, &c.,

(Signed)

J. DE ARANJO RIBEIRO.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 38.

Viscount Palmerston to Mr. H. S. Fox.

SIR,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to you, for your information, 2 Copies of Papers, marked A. and B., relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.,

(Signed)

PALMERSTON.

Henry Stephen Fox, Esq.,
&c. &c. &c.

No. 39.

Viscount Palmerston to Mr. H. S. Fox.

Foreign Office, 25th July, 1834.

(AN Instruction similar to those sent to Mr. Villiers and Lord Howard de Walden, of the same date.)—See Nos. 12 and 23.

No. 40.

Viscount Palmerston to M. de Ribeiro.

SIR,

Foreign Office, 11th August, 1834.

THE Undersigned, &c., has received the Note which M. J. de Ribeiro, &c., addressed to him on the 23d of July, 1834, claiming, in the name of the Brazilian Government, the sums of £654 0s. 0d., £9,983 15s. 0d., and £150 0s. 0d. sterling, together with interest on these several sums, as indemnity and compensation for losses and damages sustained by the Brazilian brig "*Activo*," in the prosecution of an illegal voyage for slaves, under Brazilian colours, in the year 1826.

In reply, the Undersigned begs to refer M. de Ribeiro to the declaration which has already been made by His Majesty's Government to the Government of Brazil, on this very case, when the conditional sentence on which the claim is preferred had recently been passed by the Court of Commission at Sierra Leone.

This declaration was contained in a Note addressed by Sir Robert Gordon to the Marquis of Queluz, on the 4th of July, 1827, and the principle maintained in it was, that, "in point of equity, no compensation whatever can be due to traders in cases of traffic carried on under circumstances which constitute illegal Slave Trade."

Sir Robert Gordon on that occasion further alleged, on the part of the British Government, that the principle on which this declaration was founded was conformable to the spirit of the Treaty of 1817, and in particular to the 9th Article of the Instructions for the Mixed Commissions, annexed to that Treaty.

Sir Robert Gordon added, that, if compensation were allowed in the case of the "*Activo*," encouragement would thereby be given to the violation of the special object of the Convention, which was, to prevent illegal Slave Trade.

The Undersigned, having given his attention to the claim on behalf of the "*Activo*," as put forward by the Brazilian Government, and as now again urged by M. de Ribeiro, concurs entirely in the justice of the line taken on that case by His Majesty's Government, in the year 1827.

The compensation claimed by the Owners of the "*Activo*" is, for demurrage, for loss of slaves, and a per centage on capital employed in their illegal voyage; and the Undersigned has distinctly to declare to M. de Ribeiro, for the information of his Government, that His Majesty's Government cannot consent to pay anything whatever in the shape of compensation to these offending parties, for any loss or expenses incurred by them in such an illegal undertaking.

The Undersigned has only to add, that M. de Ribeiro seems to have mistaken the object with which Sir Robert Gordon proposed the 2 Articles referred to by M. de Ribeiro.

If M. de Ribeiro will refer to Sir Robert Gordon's Note, he will see that Sir Robert Gordon discouraged the attempt to set up a claim for compensation in such a case as that of the "*Activo*," that he proposed to prevent such attempts in future, and that the mode by which he intended to effect this object was, by a fresh declaration, on the part of Great Britain and Brazil, of the principle of the Conven-

tion of 1817, and also by the correction of that seeming ambiguity in the wording of the Convention, upon which the Brazilian Owners of the "*Activo*" founded their inadmissible claim.

M. J. de Arango Ribeiro.
&c. &c. &c.

The Undersigned, &c.,
(Signed)

PALMERSTON.

No. 41.

Viscount Palmerston to Mr. H. S. Fox.

SIR,

Foreign Office, 16th August, 1834.

I HEREWITH transmit, for your information, the Copy* of a Note which I have received from M. Ribeiro, together with a Copy of the Answer* which, by His Majesty's Command, I have returned to him, on the subject of a claim for compensation, set up by the Owners of the brig "*Activo*," for losses and damages incurred in consequence of the capture of that vessel when engaged in an illegal Traffic in Slaves, under Brazilian colours, in the year 1826.

Henry Stephen Fox, Esq.,
&c. &c. &c.

I am, &c.,
(Signed)

PALMERSTON.

* See Nos. 37 and 40.

No. 42.

Viscount Palmerston to Mr. H. S. Fox.

SIR,

Foreign Office, 25th August, 1834.

I TRANSMIT to you, for communication to the Brazilian Government, the accompanying Copy* of a Despatch from His Majesty's Commissioners, established at Sierra Leone, under the Treaty with Brazil for the Abolition of Slave Trade, reporting the death of their Colleague, at that place, His Imperial Majesty's Commissary Judge, M. de Paira.

You will communicate the Despatch also to His Majesty's Commissioners, established at Rio de Janeiro under the Treaty of 1826.

Henry Stephen Fox, Esq.,
&c. &c. &c.

I am, &c.,
(Signed)

PALMERSTON.

* See Class A. No. 50.

No. 43.

Mr. H. S. Fox to Viscount Palmerston.—(Received Sept. 9.)

MY LORD,

Rio de Janeiro, 24th July, 1834.

IN obedience to your Lordship's instructions, I addressed an official Note to Senhor Aureliano de Souza e Oliveira Coutinho, Secretary of State, charged with the department of Foreign Affairs, calling His Excellency's attention to certain circumstances belonging to the case of the Portuguese brigantine "*Virtude*," condemned, in the month of November last, at Sierra Leone, upon a charge of being concerned in illegal Slave Trade, and pointing out the apparent negligence of the Authorities at Bahia, in permitting the "*Virtude*" to be fitted out at that Port, in the particular manner which clearly indicates that a vessel is destined for the Slave Trade, as well as in omitting to enforce the observance of certain formalities, specially prescribed for the prevention of that traffic.

The Brazilian Minister officially informs me, in reply to the above Note, that orders have been transmitted to the President of Bahia to cause the punishment of such of the Authorities in that Province as shall have been guilty of the acts of negligence complained of. These orders have since been published, by authority of Government, in the "*Correio Official*." His Excellency further observes to me, in the same Note, that amongst the various difficulties which the Brazilian Government has to contend with, in its efforts for the extermination of the

African Slave Trade, one of the most formidable is offered by the shameful conduct of the Portuguese Authorities in the Colonies of Her Most Faithful Majesty on the Coast of Africa, who continue to furnish the Masters of vessels employed in that infamous traffic with fraudulent certificates of nationality. The Brazilian Minister has already addressed urgent remonstrances upon this subject to the Portuguese Legation, and His Excellency urges me to assist in obtaining, through the intervention of His Majesty's Government, the adoption of such measures, on the part of the Government of Her Most Faithful Majesty, as may lead to a discontinuance of the nefarious practice above denounced.

I have the honour to enclose a Copy and Translation of the Brazilian Minister's Note, as well as Copies of the Notes addressed by me to His Excellency. I believe that a similar proposal will have been made to your Lordship by the Brazilian Envoy in London.

It has lately become quite evident that it is by the fraudulent and abusive protection of the Portuguese flag that the slave dealers on the Coast of Brazil are enabled to carry on their abominable traffic with impunity and success; and I am persuaded that whatever assistance it may be in the power of His Majesty's Government to afford, for the abatement of this evil, will prove of extensive utility towards accomplishing the great end of the suppression of the African Slave Trade.

I have, &c.,

(Signed)

H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

First Enclosure in No. 43.

Mr. Fox to the Brazilian Minister for Foreign Affairs.

Rio de Janeiro, 15th June, 1834.

THE Undersigned, &c., has been commanded by his Government to lay before the Government of His Imperial Majesty certain facts relating to the case of a Portuguese slave vessel, the brig, "*Virtude*," condemned, in the month of November last, by the Mixed British and Portuguese Commission at Sierra Leone.

The Undersigned has the honour to enclose to Senhor Aureliano de Souza e Oliveira Coutinho, &c., a Copy of the Despatch, addressed by the British Commissioners at Sierra Leone to His Britannic Majesty's Secretary of State, upon the subject of the condemnation of the said vessel; and also a Copy of the Report therein enclosed of the Evidence taken upon the trial.

It would appear that the brig "*Virtude*" sailed under the Portuguese flag from the Port of Bahia, in Brazil, expressly fitted out for the unlawful Traffic in Slaves; that the Authorities of Bahia permitted her to be equipped in the particular manner, and to be furnished with all the utensils which indicate clearly that a vessel is intended for the Slave Trade; that the "*Virtude*," moreover, was despatched from Bahia, without having passed through the formality of being visited by the proper officer,—a formality prescribed especially for the purpose of checking the Slave Trade. It appears, besides, probable, that several illegal voyages, similar to that in which this vessel was captured, had been performed by her previously to her capture, and that at least one of these voyages took place from Bahia. The circumstances from which the above inferences are necessarily drawn will be found detailed at length in the enclosed Papers; and it must thence result that the Authorities at Bahia have not been so vigilant as they ought to be, and as the Supreme Government of the Empire most assuredly desires that they should be, in carrying into effect the precautionary regulations prescribed for the suppression of the inhuman Traffic in Slaves.

The Undersigned so thoroughly appreciates the resolution formed by the Supreme Government of this Empire to exterminate, if possible, the infernal African Slave Trade,—a trade at once as impolitic and unwise as it is barbarous and wicked; and he has witnessed with so much satisfaction the solemn and convincing manner in which that resolution has been again recently proclaimed publicly to the world,—that he is sensible it needs only to be pointed out to the Imperial Government in what quarter its orders require to be more rigorously enforced, in order to ensure its vigilant attention thereto. He avails himself of this occasion to repeat, &c.

(Signed)

H. S. FOX.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,
&c. &c. &c.

Second Enclosure in No. 43.

The Brazilian Minister for Foreign Affairs to Mr. Fox.

(Translation.)

Palace of Rio de Janeiro, 19th June, 1834.

THE Undersigned, &c., acknowledges the receipt of the Note which Mr. Fox, &c., lately addressed to him, dated the 15th instant, mentioning the facility or negligence with which certain Brazilian Authorities in Bahia allowed the clearance of the Portuguese brig "*Virtude*," which sailed from that Port, evidently with the purpose of proceeding to the Coast of Africa, to take on board Africans; and requesting all the attention and vigilance of the Imperial Government, in preventing such negligence or facility.

The Undersigned is gratified to find that Mr. Fox acknowledges, in his Note, all the exertion and the sincerity of the endeavours of the Imperial Government to cause a total cessation of a traffic as inhuman as impolitic. The justice which Mr. Fox does to the Imperial Government cannot at the same time but convince him of the great difficulties with which this Government has to contend in bringing about so desirable an end. One of these obstacles is doubtless the facility with which Brazilian vessels are fraudulently nationalized as Portuguese, the Authorities of Her Most Faithful Majesty on the Coast of Africa furnishing them with passports for Rio de la Plata, with which, and the false character of Portuguese, they do not scruple to bring back their illegal and injurious cargo, which they proceed to land on the vast extent of the Coast of Brazil, when not met by any of the Brazilian vessels of war.

On this subject, besides the effectual measures adopted by the Imperial Government, the Undersigned has addressed very strong representations to the Chargé d'Affaires of Her Most Faithful Majesty, that, by communicating them to his Government, he may obtain its acquiescence in the just demand of the Brazilian Government, that the Portuguese Authorities residing on the Coast of Africa and in Brazil may observe the most scrupulous caution, and juridical inquisition, before granting such passports. And the Undersigned is of opinion that Mr. Fox will do an essential service to the cause of humanity, and will contribute greatly to assist the efforts of the Imperial Government for the total suppression of this inhuman traffic, if, by the intervention of his Government, the Portuguese Government should also be induced to command the above-mentioned Authorities not to grant such passports and papers of naturalization without the most serious and rigorous examination.

With respect to the vessel which sailed from Bahia, of which Mr. Fox makes mention in his before-mentioned Note, the Undersigned is about to issue the most urgent and decided orders to the President of that Province to cause the punishment of whatever abuses have been committed by the Brazilian Authorities, and to take precautions to prevent the future repetition of them.

The Undersigned profits, &c.

H. S. Fox, Esq., (Signed) AURELIANO DE SOUZA E OLIVEIRO COUTINHO.
&c. &c. &c.

Third Enclosure in No. 43.

Mr. Fox to the Brazilian Minister for Foreign Affairs.

Rio de Janeiro, 12th July, 1834.

THE Undersigned, &c., has the honour to acknowledge the receipt of the official Note of the 19th of June, addressed to him by the Councillor Aureliano de Souza e Oliveira Coutinho, &c., in which His Excellency, referring to the many difficulties which the Government of His Majesty the Emperor of Brazil have to contend with in their humane and enlightened efforts to exterminate the African Slave Trade, and more particularly to the assistance and illicit sanction continually given to the infamous agents of that traffic by certain subordinate authorities in the Portuguese Colonies on the Coast of Africa, urges the Undersigned to obtain, through the intervention of his Government, the adoption of such measures, on the part of the Government of Her Most Faithful Majesty, as may lead to a discontinuance of the fraudulent practices complained of.

The Undersigned will lose no time in making known to his Government the wishes expressed in the Note of His Excellency the Minister charged with the Department of Foreign Affairs; and he entertains no doubt but that His Britannic Majesty's Government will gladly undertake to do all that may be found to lie in its power towards frustrating this and every other contrivance devised by the Slave Traders for the evasion of the laws which condemn them.

The Undersigned has already, and with the highest satisfaction, conveyed to the knowledge of his Government the late solemn assurances given by the Imperial Government to the General Assembly of Brazil, of its determination to spare no effort for achieving the entire suppression of the African Slave Trade.

The long-continued labours of the British Nation and of the British Government, for the same object, are well known to the world; and there remains no doubt but that a cordial active co-operation between Great Britain and Brazil offers the best prospect of now finally relieving humanity from this cruel and insufferable evil.

The Undersigned, &c.,

(Signed)

H. S. FOX.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,
&c. &c. &c.

No. 44.

Mr. H. S. Fox to Viscount Palmerston. (Received Sept. 9.)

MY LORD,

Rio de Janeiro, July 24th, 1834.

HAVING been informed by Sir George Jackson and Frederick Grigg, Esq., His Majesty's Commissioners at Rio de Janeiro, that some tendency to delay had appeared, on the part of the Brazilian Authorities, in bringing for adjudication before the Mixed Commission certain vessels captured on the Coast of this Empire by Brazilian cruisers, while engaged in illegal Slave Trade, I addressed an official Note to the Secretary of State charged with the Department of Foreign Affairs, calling the attention of the Brazilian Government to the subject, and requiring the delivery of the vessels in question, for trial, to the aforesaid Mixed Commission, in conformity with the stipulations of the Convention existing between Great Britain and Brazil. I received from the Brazilian Minister a prompt and satisfactory reply to my application. I have the

honour herewith to enclose Copies of the Correspondence. A more full and general order has since been issued, and published by authority of the Government, directing the immediate consignment, to the Mixed Commission, of all vessels detained by the national cruisers, upon charge of being concerned in the unlawful Traffic of Slaves. I have full reason to be satisfied with the disposition evinced by the present Rulers of this Country to meet the wishes, and to assist the labours, of His Majesty's Government, for the final extinction of the African Slave Trade.

I have, &c.,
(Signed)

H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

First Enclosure in No. 44.

Mr. Fox to the Brazilian Minister for Foreign Affairs.

Rio de Janeiro, 17th June, 1834.

THE Undersigned feels it his duty to lay before His Excellency Senhor Aureliano de Souza e Oliveira Coutinho, &c., the enclosed Extract of a Despatch addressed to the Undersigned by the British Commissioners, Sir George Jackson, and Frederick Grigg, Esq., relative to the reported consignment of certain vessels, recently captured while engaged in the illicit Traffic of Slaves, to the Authorities of the Empire, instead of to the Mixed British and Brazilian Commission, established in this Capital, according to Treaty, for the trial of all such cases.

The Undersigned requests the early and particular attention of His Excellency to the contents of the enclosed Extract; and he entertains no doubt but that the Imperial Government will be pleased to cause the captured vessels, therein referred to, to be brought for adjudication before the Mixed Commission, in virtue of the Convention existing for that purpose between Great Britain and the Empire of Brazil.

The Undersigned, &c.

(Signed)

H. S. FOX.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,
&c. &c. &c.

Sub-Enclosure in First Enclosure in No. 44.

His Majesty's Commissioners to Mr. Fox.

SIR,

Rio de Janeiro, 14th June, 1834.

Our functions being purely judicial, and, strictly speaking, commencing only when a case is actually brought before the Court, the step we are now taking may, perhaps, seem to carry us somewhat beyond their sphere.

But, observing the report of the capture of 2 vessels engaged, or suspected to be engaged, in the Traffic of Slaves, by Brazilian vessels of war, viz., the "*Dois de Marco*," said to have been taken off St. Sebastian, and the "*Santo Antonio*," off Ilha Grande, and that this Government are proceeding against them according to their law of the 7th November, 1831, instead of bringing these cases before the Mixed British and Brazilian Commission,—we yet think it incumbent upon us to mention the subject to you, and to call your attention to those stipulations in the engagements existing between the 2 Governments, by which it is declared, "that all vessels detained by their respective ships of war shall be brought for judgment before such Commission, and, in case of the condemnation of a vessel, that she, as well as her cargo, with exception of the slaves, shall be sold by public sale, for the profit of the 2 Governments, and that, as to the slaves, they shall receive a Certificate of Emancipation;" in order that, should you concur with us in opinion as to the course which should be pursued in these and similar cases, you may, if you think proper, Sir, make such communications to this Government, on the subject, as you shall deem expedient.

It is more than probable that the vessels above mentioned may have been captured under Portuguese colours, but experience shows that it by no means follows from that circumstance that the adventure, in whole or in part, may not, on close investigation, prove to be Brazilian,—a point which we conceive it is peculiarly the province of this Mixed Commission to ascertain, and that from this duty no *primâ facie* attempt to conceal the real character of the prize ought to preclude them.

The case of the "*Maria da Gloria*," on the one hand, (of which the Mixed Commission declined to take cognizance, because, after a full investigation, she was proved to be *exclusively* Portuguese property,) will sufficiently acquit either our colleagues or ourselves of any wish unduly to extend our jurisdiction, while, on the other, the case of the "*Paquete do Sul*," both vessels taken under the flag of Portugal, proves the already notorious fact that that flag has been but too often used by Brazilian adventurers as a mask, by which to cover their illicit proceedings.

We have the less scruple, Sir, in making this representation, both because, should the Mixed Commission, in any case brought before them by a Brazilian captor, declare their incompetency to take cognizance of it, on the ground of its not being either British or Brazilian, His Imperial Majesty's Government would then equally have the power, as in the first instance, to proceed according to the laws of this Country, apart from any international engagement, and because the summary course attending the proceedings of a Mixed Commission has been acknowledged by the Executive to be the best calculated to counteract that system of fraud, which it is alike the object of both Governments to prevent.

We have, &c.

(Signed)

GEO. JACKSON.
FRED. GRIGG.

H. S. Fox, Esq.,
&c. &c. &c.

P. S.—Since writing the above we have seen the official Report of the capture of the brig "*Santa*

Antonio," by which it appears that she has a cargo of 117 slaves on board; a circumstance which confirms us still more in the propriety of this application, as it is impossible to reflect without horror on the fate which would await these unhappy objects under the operation of the law of the 7th of November, 1831.

(Signed) G. J.
F. G.

Second Enclosure in No. 44.

The Brazilian Minister for Foreign Affairs to Mr. Fox.

(Translation:)

Palace of Rio de Janeiro, 21st June, 1834.

IN answer to the Note which Mr. H. S. Fox, &c., addressed to me, dated the 17th instant, in support of the statements of the British Commissioners of the Mixed Brazilian and English Commission, urging that, in virtue of the Treaties existing between Brazil and Great Britain, the 2 vessels, named the "*Dois de Marco*" and the "*Santo Antonio*," captured by Brazilian men of war, for having on board African negroes, should be delivered over for judgment to the aforesaid Commission,—I have to inform Mr. Fox that the Department of Justice is about to issue the necessary orders to deliver over to the said Commission the above-mentioned vessels, which would already have been done but for the necessity of taking certain previous steps, as, for instance, placing the above-mentioned Africans in dépôt, obtaining documents, and other indispensable measures.

On this occasion I renew to Mr. Fox, &c.

(Signed)

AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

H. S. Fox, Esq.
&c. &c. &c.

No. 45.

M. de Ribeiro to Viscount Palmerston.

Park Crescent, le 17 Septembre, 1834.

LE Soussigné, &c., a eu l'honneur de recevoir la Note que Son Excellence Monsieur le Vicomte Palmerston, &c., lui a adressée, en réponse à celle du 23 Juillet dernier, par laquelle le Soussigné réclamait les indemnités dûes aux Propriétaires du brick "*Activo*," illégalement capturé par le navire du Roi "*Atholl*."

Son Excellence déclare, dans sa Note, que le Gouvernement de Sa Majesté Britannique ne peut consentir à payer aux dits Propriétaires aucune espèce de compensation pour les dépenses et pertes essuyées dans une entreprise illégale; et, en appui de cette déclaration, elle se rapporte à ce qui a déjà été dit au Gouvernement Brésilien, par Sir Robert Gordon, qui, dans une Note, datée à Rio Janeiro, le 4 Juillet, 1827, a énoncé comme principe, que, en équité, aucune compensation ne peut être dûe à ceux qui entreprennent un trafic revêtu des circonstances qui constituent la Traite illégale des Nègres.

Malgré le refus si distinctement énoncé dans la Note de Monsieur le Vicomte, le Soussigné, ne croyant pas que le Gouvernement Britannique ait le droit de décider définitivement cette question par lui seul, ose prier encore Son Excellence de la prendre de nouveau en considération, et de se rappeler que ce n'est pas aux circonstances du trafic en question, mais au jugement de la Commission de Sierra Leone qu'il faut faire attention, car dès qu'il y a une Cour dûment établie pour connaître les circonstances des affaires de ce genre, et en juger, en conséquence il n'appartient à aucun des 2 Gouvernemens d'en apprécier les détails, mais d'agir en conformité des jugemens de la Cour; et si même Son Excellence se persuade connaître assez bien les circonstances du trafic dont il s'agit pour le prononcer illégal et décider que les indemnités ne sont pas dûes en fait d'équité, elle ne peut ignorer que l'équité, qui n'est pas toujours justice, doit faire place à un droit fondé en décision judiciaire.

D'après la clause que la Commission a ajouté à son jugement, le Soussigné est convaincu que le Gouvernement de Son Excellence avait tout droit de refuser d'abord le paiement réclamé, et il le trouve même fort naturel; mais il ne peut convenir qu'il ait le droit de résoudre définitivement par lui seul ce que la Sentence a fait dépendre du consentement des 2 Gouvernemens.

Au point où l'on est arrivé ce ne peut être que par l'expédient de quelqu'un de ces moyens de s'accorder, introduits par l'usage des Nations, qu'il faut déterminer définitivement cette question, et c'est sur cet objet que le Soussigné se croit en droit d'espérer la concurrence du Gouvernement de Sa Majesté Britannique.

Le Soussigné profite de cette occasion pour renouveler, &c.

(Signé)

J. DE ARANJO RIBEIRO.

Son Excellence le Vicomte Palmerston, G.C.B.,

&c.

&c.

&c.

M. de Arango Ribeiro to Viscount Palmerston.

(Translation.)

Park Crescent, 17th Sept., 1834.

THE Undersigned, &c., has had the honour to receive the Note which His Excellency Viscount Palmerston, &c., addressed to him, in answer to that of the 23d of July last, by which the Undersigned applied for the indemnities due to the Owners of the brig "*Activo*," illegally captured by the King's ship "*Atholl*."

His Excellency declares, in his Note, that the Government of His Britannic Majesty cannot consent to pay to the said Owners any kind of compensation for expenses and losses sustained in an illegal enterprise, and, in support of this declaration, refers to what has already been said to the Brazilian Government by Sir Robert Gordon, who, in a Note, dated Rio de Janeiro, July 4, 1827, laid it down as a principle, that, in fairness, no compensation can be due to those who engage in a Traffic attended by circumstances constituting illegal Slave Trade.

Notwithstanding the refusal so explicitly given in His Excellency's Note, the Undersigned, being of opinion that the British Government has no right to decide alone definitively on this question, once more ventures to request His Excellency to take it again into consideration, and to recollect, that not the circumstances of the Traffic in question, but the sentence of the Commission of Sierra Leone, is the point to be attended to; for whenever there is a Court of Justice duly established for taking cognizance of the circumstances of transactions of this sort, and for adjudging them accordingly, neither of the 2 Governments is entitled to decide on its details, but to act in conformity with the sentences of the Court; and though His Excellency believes he has a sufficient knowledge of the circumstances of the Traffic in question to be able to pronounce it illegal, and decide that the indemnities are not due, in point of equity, His Excellency cannot be ignorant that equity, which is not always justice, must give way to a right founded on a judicial decision.

According to the clause which the Commission has added to its judgment, the Undersigned is convinced that the Government of His Excellency had every right to refuse at once the required payment, and he deems it even very natural, but cannot agree that it had the right of alone coming to a resolution on what the judgment has made to depend on the consent of the 2 Governments.

In this state of the matter it is only by employing one of the means of coming to a mutual understanding, introduced by the usage of nations, that this question can definitively be determined, and on this point the Undersigned thinks he has a right to hope for the concurrence of the Government of His Britannic Majesty.

The Undersigned, &c.,
(Signed)

J. DE ARANJO RIBEIRO.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 46.

*Viscount Palmerston to M. de Ribeiro.**Foreign Office, 6th October, 1834.*

THE Undersigned, &c., has had the honour of receiving the Note which M. de Ribeiro, &c., addressed to him on the 17th ultimo, requesting His Majesty's Government to reconsider the decision which it has come to, not to concur in granting compensation for loss and damages sustained by the Brazilian brig "*Activo*," in the prosecution of an illegal voyage for slaves, under Brazilian colours, in the year 1826.

The Undersigned has to state, in reply, that he regrets very much that he cannot take a different view of this case from that which he has already had the honour of communicating to M. de Ribeiro.

The "*Activo*" was indisputably engaged in the illegal Slave Trade, but the Treaty did not authorize the cruiser by which she was detained to capture her in the particular spot in which she was found. The Court of Mixed Commission released her, as not being liable to capture in the place where she was met with; but, adverting to the fact that she was proved to have been engaged in the illegal Slave Trade, the Court hesitated as to awarding compensation to the Owners, and decided that such compensation should only be granted if both the British and Brazilian Governments should agree to give it; but His Majesty's Government cannot agree to pay public money in the shape of compensation to any persons for losses sustained under such circumstances as those out of which the present claim arises; and, therefore, the agreement of the 2 Governments, which the Court declared should be the condition upon which alone compensation should be granted, has not taken place; and, as far as Great Britain is concerned, no such compensation can be given.

The Undersigned, &c.,
(Signed)

PALMERSTON.

M. J. de Arango Ribeiro,
&c. &c. &c.

No. 47.

Viscount Palmerston to Mr. H. S. Fox.

SIR,

Foreign Office, 6th October, 1834.

WITH reference to my Despatch of the 16th of August last, I transmit, for your information, the Copy of a further Note which I have received from Mr. Ribeiro,* requesting His Majesty's Government to reconsider the decision to which it has come, not to concur in granting compensation for loss and damages sustained by the Brazilian brig "*Activo*," in consequence of the capture of that vessel, when engaged in illegal Traffic in Slaves, under Brazilian colours, in the year 1826.

I also enclose the Copy of my Answer* to Mr. Ribeiro.

I am, &c.

Mr. H. S. Fox,
&c. &c.

(Signed) PALMERSTON.

* See Nos. 45 and 46.

No. 48.

Viscount Palmerston to Mr. H. S. Fox.

SIR,

Foreign Office, 8th October, 1834.

I HAVE received your Despatches upon the subject of the case of the "*Maria da Gloria*," which had been captured with 423 slaves on board, under Portuguese colours, by his Majesty's ship "*Snake*," and brought before the Mixed British and Brazilian Commission at Rio de Janeiro.

This case has received the serious consideration of His Majesty's Government;* and I transmit, for your information and guidance, the Copy of an Instruction which I have addressed to the British Commissioners at Rio de Janeiro, acquainting them with the opinion which His Majesty's Government entertain of the proceedings of the Mixed Commission in this case; and directing them to urge the Brazilian Commissioners to proceed to adjudicate in cases which may be brought before the Court under circumstances similar to those of the "*Maria da Gloria*."

You will take an opportunity of acquainting the Brazilian Government with the opinion which His Majesty's Government entertain of the jurisdiction of the Mixed Court, and you will urge them to give corresponding instructions to the Brazilian Commissioners.

These proceedings of the Mixed Court show so strongly the necessity of further measures being adopted to put a stop to the Slave Trade, that I have to repeat to you the instructions which you have already received, to press upon the Brazilian Government their immediate accession to those Articles in the Conventions between Great Britain and France which are not contained in the Treaties between His Majesty and the Emperor of the Brazils.

I am, &c.

(Signed) PALMERSTON.

P.S. I add, for your further information, the Copy of a Letter which I have caused to be sent to the Admiralty on this subject.

* See Class A. No. 110.

Enclosure in No. 48.

SIR,

Foreign Office, 8th October, 1834.

VISCOUNT PALMERSTON having referred to His Majesty's Advocate-General your letters, dated 27th March last, and 1st and 9th ultimo, with their several Enclosures, upon the subject of the case of the "*Maria da Gloria*," which had been captured with 428 slaves on board, under Portuguese colours, by His Majesty's ship "*Snake*," and brought before the Mixed British and Brazilian Commission at Rio de Janeiro,—I am directed by his Lordship to send to you, for the information of the Lords Commissioners of the Admiralty, the copy of an Instruction which he has addressed to His Majesty's Commissioners at Rio de Janeiro*, founded upon the King's Advocate's Report upon this case.

The opinion which His Majesty's Government have formed of the proceedings of the British and Brazilian Commission, in the case of the "*Maria da Gloria*," will suggest to the Lords Commis-

* See Class A. No. 110.

sioners of the Admiralty the expediency of instructing the senior Officer of His Majesty's naval force on the Brazilian station, to modify the orders which he had given to His Majesty's cruizers, not to detain slave vessels under the flag of Portugal, except they should present the clearest evidence of that flag being fraudulently assumed.

I am, &c.,

(Signed)

G. SHEE.

The Secretary to the Admiralty.

No. 49.

Viscount Palmerston to Mr. H. S. Fox.

(Extract.)

Foreign Office, 8th October, 1834.

WITH reference to my other Despatch of this date, upon the case of the "*Maria da Gloria*," so far as it regards the proceedings in Brazil, I think it right to acquaint you that His Majesty's Government are of opinion that the sentence of the Court at Sierra Leone was correct so far as regards the restitution of the vessel and the slaves; but that His Majesty's Government will not consent to the payment of any sum, in the shape of compensation to the Owner of the vessel or cargo, for any losses or expenses incurred in that undertaking.

I add for your information the Copy of an Instruction* which I have addressed to His Majesty's Minister at Lisbon, upon this subject.

Henry Stephen Fox, Esq.,

&c. &c. &c.

(Signed)

PALMERSTON.

* See No. 28.

No. 50.

Mr. Fox to Viscount Palmerston.—(Received December 6.)

MY LORD,

Rio de Janeiro, 15th October, 1834.

WITH reference to the case of the Portuguese brigantine "*Virtude*," condemned by the Mixed British and Portuguese Commission at Sierra Leone, in the month of November, 1833, and suspected to have been permitted to be illegally fitted out, for more than one slaving voyage, from the Port of Bahia, in Brazil, which case formed the subject of your Lordship's Despatch* to me, of the 24th of February of this year, and of the Despatch† which I had the honour to address to your Lordship, on the 24th of July, in which last were enclosed Copies of a Correspondence between the Brazilian Minister and myself, upon the subject of the said brigantine "*Virtude*," I have now the honour to forward a Translation of an additional Despatch, which I have received from the Brazilian Minister, written after reference made to Bahia, and stating that the explanations given by the Authorities of that Port are sufficient, in His Excellency's judgment, to exculpate them from the charge of connivance, or of culpable negligence, which had appeared to result from the evidence taken upon the trial before the Mixed Commission at Sierra Leone.

At the same time fresh Instructions have been addressed by the Supreme Government to the President of Bahia, and published in the "*Correio Official*," enjoining the most vigorous precautions to be observed in the visit and examination of Portuguese vessels bound from that Port, under any pretext, to the Coast of Africa; in order to repress, as far as may be possible under the present perplexing circumstances, the continuance of the Traffic in Slaves, under the protection of the Portuguese flag, which now threatens to be carried on,—thanks also to the collateral assistance afforded by the Authorities of Monte Video,—with renewed activity and insolence.

I have, &c.,

(Signed)

H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

* No. 36.

† No. 43.

(B.)

F

Enclosure in No. 50.

*The Brazilian Minister for Foreign Affairs to Mr. Fox.**Palace of Rio de Janeiro, 26th September, 1834.*

THE Undersigned, &c., having, as he intimated to Mr. Fox, &c., in the Note that he had the honour to address to him on 19th June of the present year, forwarded the most positive orders to the President of the Province of Bahia that he should cause every mal-practice to be punished that may have been committed by the Brazilian Authorities in relation to the Portuguese brig "*Virtude*," which sailed from that Port for the unlawful and inhuman Commerce in Slaves, and for which it was ultimately condemned by the Mixed Brazilian and English Commissioners, as was communicated by Mr. Fox, in his Note of the 15th of the same month, to which the former was an answer; he hastens now to inform Mr. Fox that he is enabled, by the information received from the President, to affirm that the said brig, having taken in a cargo at Bahia, for the port of Havana, with orders to touch at the Ports of the Coast of Mina, the Islands of St. Thomas and Principe, received for that purpose the usual papers, without any permission to take on board implements for the Traffic in Slaves, as is incorrectly asserted by the before-mentioned Mixed Commission, the visit (or search) and examination, however, not taking place on the vessel leaving the Port, inasmuch as such is not the usage, except in the case of national vessels, and never with those of foreign countries.

The Undersigned has a lively pleasure in being thus enabled to efface any disagreeable impression that may have been given of the want of zeal and interest of the Brazilian Authorities of that province; and profits by this opportunity, &c.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

Henry Stephen Fox, Esq.
&c. &c. &c.

No. 51.

Mr. Fox to Viscount Palmerston.—(Received December 6.)

(Extract.)

Rio de Janeiro, 15th October, 1834.

THE African negroes recently liberated by verdicts of the Mixed Commission for the suppression of unlawful Slave Trade established at Rio de Janeiro, are at present employed at the public works, labouring as apprentices, provisionally, in the hands of the Government. Orders also have been transmitted by the Minister of Justice to the different Provinces of the Empire, directing the same course to be followed with regard to all negroes liberated in virtue of the Brazilian Law of November, 1831, including consequently not only those found on board captured slave vessels, but such likewise as shall be seized from their unlawful Owners in any part of the country, and liberated upon proof appearing of their having been fraudulently introduced.

This provisional arrangement is of course less satisfactory than what would have resulted from a true and full execution of the original stipulations of the Slave Trade Convention, regarding the mode of apprenticeship of the emancipated blacks; but I believe it is, practically, the most humane and comfortable destination that could, under the present circumstances, be chosen in this Country for the victims rescued from slavery. The negroes, thus serving in the employment of Government, are well treated, and not overworked; and, above all, there is not the risk of their being again fraudulently disposed of, and robbed of their freedom for ever, which was most frequently the fate of the unhappy objects portioned out as apprentices in the hands of private Brazilians.

This system, however, has only been adopted as a temporary expedient, to remain in force until such time as it shall be found practicable to give effect, in one way or another, to that part of the Brazilian Law of 1831 which enjoins the re-exportation of emancipated slaves.

That portion of the same Law, which prescribed that the liberated blacks should be reconveyed to Africa at the expense of the convicted illegal traders, and there delivered over to the native Authorities of the Slave Coast, against which His Majesty's Government so strongly and so justly remonstrated, has been entirely abandoned, both virtually and formally, by the Official Declaration of the Government, made to the Legislative Assembly in the "*Relatorio*," or Report, from the Department of Foreign Affairs.

The Government, however, are still equally and most impatiently desirous of contriving some mode for eventually disposing of the liberated slaves out of Brazil; partly from deference to the will of the Assembly, expressed in the Law above referred to; and partly also from a real apprehension that the admission of a number of free blacks into this slave-holding Country may be productive of pernicious consequences. Englishmen and Brazilians must be expected to

argue this question in different ways, as they start from different points in their argument; and a native of Brazil, never looking to the possible ultimate emancipation of the black population of his Country, is perhaps right, in his narrow view of the subject, in discouraging, by all the means in his power, the introduction into the same Country of a large portion of African blacks in a state of freedom.

It is under this impression that the Government of Brazil is now entering into Negotiation with every Power possessing Colonies on the Coast of Africa to conclude some arrangement for receiving the emancipated negroes as free labourers in those Colonies. But, whatever arrangement of this nature may be made, and in whatever quarter, it is easy to foresee that the main difficulty (looking to what is of course our chief object, the well-being and *bonâ fide* deliverance of the negroes) will always be found in the reconveying them across the Atlantic. I do not see how it will be possible, excepting at a vast expense, to be borne by one Government or the other, to secure to the liberated blacks the benefit of good treatment during the voyage, and a safe delivery at their place of destination. Certainly no private seafaring contractor belonging to this Country could be trusted with such a commission.

The Brazilian Minister has urged me to express again to your Lordship how very great a satisfaction it would be to the Government of this Country if some arrangement could be agreed upon to receive the liberated blacks, either at Sierra Leone (as was formerly proposed) or in the West Indies, or in any other British Colony; and I believe that solicitations to the same effect will have been renewed to your Lordship by the Brazilian Envoy in London. I am, of course, unable to judge how far His Majesty's Government may be able or willing to accede to such a proposal; but there is little doubt that it presents the best, perhaps the only, means of securing the benefit of freedom to the unfortunate objects most interested in the question.

I am persuaded that it is quite impossible, in this Country, to give effect to the true meaning of that part of the Slave Trade Convention which provides for the apprenticeship of the blacks in the hands of private individuals; not only are the Government and the superior Authorities opposed to such a system upon principle, but even if they were to change their opinion, or be constrained by the obligation of Treaties to act contrary to it, they would not possess the means of doing so with advantage. The Government of Brazil has not sufficient control over the inhabitants to enable it to prevent the apprenticed blacks from being again fraudulently sold as slaves, and thenceforth more cruelly treated than if placed in a lawful and acknowledged state of slavery. Neither would any jurisdiction that could be allowed to the British Commissioners, or other British Authorities, (were such a thing possible,) be sufficient to watch over the existence and welfare of the apprentices in a Country of wild manners and amazing extent like Brazil. All the planters and proprietors throughout the land, into whose hands these apprentices must be intrusted, are cordially averse to their emancipation, both from interest and from prejudice; while the subordinate and local magistrates, whose business it should be to compel the execution of the law, are themselves drawn from the same class of proprietors, and governed by the same interests and prejudices.

For all these reasons I cannot but heartily concur in the wishes expressed by the Brazilian Minister, that some plan may be discovered for disposing of the emancipated negroes, away from Brazil. Unfortunately, in discussing every point and every bearing of the questions of Slavery and Slave-dealing in this part of the World, it is much more easy to point out the enormity and abominable extent of the evil than to suggest means for its abatement; but it appears to me that the worst of all that can happen is to abandon those negroes, who have been once rescued from the horrors of slavery, to the risk, indeed almost to the certainty, of being again crushed under the same miserable yoke. The provisional arrangement, which is now acted upon, of employing the emancipated negroes at the public works, under the safeguard of Government, has been adopted by the Minister, Aureliano, (as Minister of Justice,) upon his own responsibility; and I am very doubtful whether the Legislative Assembly, in its Session of next year, will sanction a continuance of the same system. It is also extremely probable that in other parts of the Empire the local Legislatures, to be now convoked, will lay claim to the privilege of themselves regulating all such affairs within their respective Provinces. The greatest advantage would therefore be

gained if some plan could be agreed upon, during the present year, for the final and permanent settlement of this question.

I have, &c.,

(Signed)

H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 52.

Mr. Fox to Viscount Palmerston.—(Received December 6.)

MY LORD,

Rio de Janeiro, 15th October, 1834.

I HAVE had the honour to receive, by the last packet, which arrived here on the 1st instant, your Lordship's Despatch* of the 25th of July, enclosing Copies of Correspondence between His Majesty's Ambassador at Paris, and the French Secretary of State for Foreign Affairs, upon the subject of the Slave Trade Conventions recently concluded between Great Britain and France; and instructing me to support the efforts which the accredited Minister of France at Rio de Janeiro may be instructed to make, on the part of his Court, to induce the Brazilian Government to become a party to the Conventions in question.

With respect to those parts of the Conventions above referred to which treat of the Equipment Article, and of the proposal for breaking up vessels condemned for being engaged in the unlawful Traffic in Slaves, I had already, previously to the receipt of these last instructions from your Lordship, called the attention of the Brazilian Government to those 2 important points of Anti-Slave-Trade Legislation, in a Letter addressed to the Brazilian Minister for Foreign Affairs, of which I have the honour herewith to enclose a Copy; grounding my application upon former instructions on the same subject, which have, from time to time, been addressed to this Mission from your Lordship's Office.

My Letter was officially communicated to the Assembly, and read to them, by the Minister, Aureliano, at the same time that he recommended to their adoption some other measures, connected with the more effectual suppression of the Slave Trade. But the Minister, and all his communications, were, unfortunately, upon this occasion, equally ill received; and the reading of my Letter served only to call forth a violent attack upon the Government for listening to Foreign dictation, and upon Great Britain for presuming to give advice to Brazil; together with demands for the immediate abolition of the Mixed Commissions, both at Rio de Janeiro and at Sierra Leone, and a renewal of the former appeals and complaints against many of the sentences of those Commissions.

I have since received an official Reply from the Brazilian Minister, (of which I have also the honour to enclose a Translation,) warding off for the present the 2 proposals contained in my Letter, upon the plea that the object of chief urgency at this moment is to succeed in depriving the illegal Slave Traders of the protection of the Portuguese flag, which object, His Excellency is induced to hope, will be attained through the intervention of His Britannic Majesty's Government; and that, when this point shall have been gained, the Slave Trade along the Coast of Brazil may be expected altogether to cease.

It is so far true, that as long as the protection of the Portuguese flag is afforded to the Slave Traders, shielding them from public vengeance, and, as it is unfortunately found to do in these latitudes, withdrawing them from the jurisdiction of every Tribunal, the whole of the illegal Slave Trade along the Coast of Brazil will continue to be carried on under that flag, and under no other; so that it becomes, for the time, of less consequence what additional laws are passed for the more effectual suppression of the trade under the flag of Brazil. But, if means shall fortunately be found to put an end to this fraudulent use of the Portuguese flag, it may be apprehended that the Brazilian slavers will be once more tempted to drive this detestable trade under the flag of their own Country; and I shall therefore omit no effort, whether alone or in conjunction with the Minister of France, to induce the Brazilian Government to accede to the 2 important Articles referred to in your Lordship's Despatch.

I am, &c.,

(Signed)

H. S. FOX.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

* See No. 39.

First Enclosure in No. 52.

Mr. Fox to the Brazilian Minister for Foreign Affairs.

SIR,

Rio de Janeiro, 23d September, 1834.

I TAKE the present opportunity, before the close of the Legislative Session, and after the more important part of the political labours of the Assembly appears to be terminated, to call your Excellency's attention to certain points connected with the suppression of the unlawful African Slave Trade, which have already, at former periods, been the subject of correspondence between His Britannic Majesty's Government and the Government of Brazil. The principal question that I have to refer to is the additional Article, which it has long been the anxious desire of my Government to see accepted by Brazil, as an international stipulation, and appended to the Convention of 1826; whereby ships fitted up for the Slave Trade should, when met with at sea, be treated as if the illegal act for which they were equipped had been committed. Stipulations to this effect, which have been entered into between Great Britain and the European Powers interested in the suppression of the Slave Trade, have already produced such satisfactory and efficacious results, that there seems every reason to hope that the adoption of a similar measure by Brazil would tend materially to assist the humane and generous efforts of His Imperial Majesty's Government for the final extinction of the infamous Traffic in Slaves. I had the particular satisfaction to observe, that in the "*Relatorio*" from the Department of Foreign Affairs, presented by your Excellency to the General Assembly at the opening of the present Session, the adoption of a measure such as is above referred to, was strongly recommended to the Assembly. An overture upon this question was made to one of your Excellency's predecessors, by Mr. Aston, His Britannic Majesty's Chargé d'Affaires, in the year 1831; and a further communication upon the same subject was addressed by Mr. Ouseley, to his Excellency Senhor Bento da Silva Lisboa, in the month of July, 1833; upon which occasion a Copy of the proposed stipulations was communicated. I am fully authorized and empowered by my Government to conclude and sign such an Article with His Imperial Majesty's Government, to be an additional Article to the Slave Trade Convention of the 23d of November, 1826; and it appears to me that the present is a proper and favourable occasion for carrying this object, so anxiously desired by my Government, into effect.

The other point to which I am desirous of calling the attention of your Excellency, is the measure, also proposed at a former period by His Britannic Majesty's Government to the Government of Brazil, for enforcing the entire destruction of vessels condemned for having been engaged in the Slave Trade, and the sale of their materials when broken up, as the most likely and effectual means of preventing such vessels from again falling into the hands of Slave Traders, and being a second time employed for the same unlawful and criminal projects. An overture on this subject was also made by His Britannic Majesty's Chargé d'Affaires to your Excellency's predecessor, in the month of June, 1833.

Waiting the honour of your Excellency's reply to the subjects contained in the present communication, I avail myself of the occasion to renew, &c.

(Signed) H. S. FOX.

His Excellency Senhor Aureliano de Souza e Oliveira Coutinho,
 &c. &c. &c.

Second Enclosure in No. 52.

The Brazilian Minister for Foreign Affairs to Mr. Fox.

(Translation.)

Rio de Janeiro, 2d October, 1834.

THE Undersigned, &c., acknowledges the receipt of the Note addressed to him by Mr. Fox on the 23d of last month, referring to a former correspondence between this Office and the British Legation, and suggesting the expediency of concluding an Additional Article to the Convention of the 23d of November, 1826, as the most effectual means of suppressing the unlawful Trade in African Slaves.

The Undersigned, after reading the whole of the correspondence referred to, considers that it would be unnecessary to repeat over again to Mr. Fox the efforts that have been made by the Legislative Assembly, and by the Government of Brazil, to repress, and, once for all, to put an end to, that infamous traffic; and there is no doubt this salutary end would already have been accomplished, if it were not for the protection given to the trade by the Portuguese flag, and in the Portuguese Colonies; as is notorious, and has been proved by facts.

The Imperial Government, persuaded that, this evil once eradicated, there would be an end of the horrible Traffic in Slaves, applied both to the Government of His Britannic Majesty, and directly to the Government of Portugal, that effectual measures might be taken to prevent Portuguese vessels from being allowed to frequent those Colonies in quest of slaves. And, fortunately, these applications have not been made in vain; for the Imperial Government is now officially informed that the Government of Great Britain has already proposed to the Government of Her Most Faithful Majesty, to conclude a Treaty for the abolition of the Slave Trade within the Portuguese Dominions. It therefore appears most expedient to the Imperial Government to await the result of this Negotiation, which will of itself be sufficient for the attainment of those objects which the Governments of Great Britain and Brazil have it so much at heart, for the benefit of humanity, to accomplish.

(Signed) AURELIANO DE SOUZA E OLIVEIRA COUTINHO.

His Excellency H. S. Fox, Esq.,
 &c. &c. &c.

No. 53.

*M. de Ribeiro to the Duke of Wellington.**Park Crescent, le 18 Décembre, 1834.*

LE Soussigné, &c., a l'honneur de s'adresser à Monsieur le Duc de Wellington, &c., pour communiquer à Son Excellence que le Gouvernement Impérial

vient de nommer Monsieur Manoel de Oliveira Santos, Commissaire d'Arbitration à la Commission Mixte Brésilienne et Britannique à Sierra Leone, à la place de Monsieur Matheus Egidio da Silveira, qui doit remplacer feu Monsieur de Paiva comme Commissaire Juge à la susdite Commission.

Le Soussigné s'empresse de porter ces nominations à la connaissance du Gouvernement de Sa Majesté Britannique, et profite de cette occasion, &c.

(Signé)

J. DE ARANJO RIBEIRO.

Son Excellence Monsieur le Duc de Wellington,

&c.

&c.

&c.

(Translation.)

Park Crescent, 18th December, 1834.

THE Undersigned, &c., has the honour to address himself to the Duke of Wellington, in order to communicate to His Excellency that the Imperial Government has appointed M. Manoel de Oliveira Santos, Commissioner of Arbitration to the Brazilian and British Mixed Commission at Sierra Leone, in the place of M. Matheus Egidio da Silveira, who is to replace the late M. de Paiva as Commissary Judge to the above Commission.

The Undersigned loses no time in notifying these appointments to the Government of His Britannic Majesty, and avails himself, &c.

(Signed)

J. DE ARANJO RIBEIRO.

His Excellency the Duke of Wellington,

&c.

&c.

&c.

No. 54.

The Duke of Wellington to Mr. H. S. Fox.

SIR,

Foreign Office, 31st December, 1834.

WITH reference to former Despatches, which you will have received from His Majesty's Secretary of State, upon the means of effecting the complete extinction of the Slave Trade, I send to you herewith the Draft of 2 Articles, one stipulating for the condemnation of vessels equipped for Slave Trade, and the other stipulating for the breaking up of condemned slave vessels.

It is believed that stipulations to this effect will conduce more than any others to the extinction of that proscribed trade.

I have therefore to desire that you will use your best endeavours to induce the Brazilian Minister to agree to the stipulations in question; and I send you herewith Full Powers for negotiating and concluding a Supplementary Convention, comprising these 2 Articles, with the Brazilian Government.

I am, &c.,

Henry Stephen Fox, Esq.,

(Signed)

WELLINGTON.

&c. &c. &c.

Enclosure in No. 54.

Draft of Supplementary Articles to the Treaty with Brazil, of 23d November, 1826.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Imperial Majesty the Emperor of Brazil, being desirous of rendering more effectual the Treaty for the suppression of the Slave Trade concluded between the Crowns of Great Britain and Brazil on the 23d of November, 1826, have resolved to annex to the aforesaid Treaty certain supplementary Articles; and for this purpose they have respectively named as their Plenipotentiaries, viz.,

who, having communicated to each other their respective Full Powers, found to be in good and due form, have agreed upon and concluded the following Articles: .

ARTICLE I.

It is hereby mutually agreed, between the 2 High Contracting Parties, that every merchant vessel, British or Brazilian, which shall be visited by virtue of the before-mentioned Treaty of the 23d of November, 1826, may lawfully be detained, and sent or brought before the Mixed Courts of Justice established in pursuance of the provisions of the aforesaid Treaty, if in her equipment there shall be found any of the things hereinafter mentioned, namely:

1. Hatches with open gratings, instead of the close hatches which are usual in merchant vessels.
2. Divisions or bulk heads, in the hold or on deck, in a greater number than are necessary for vessels engaged in lawful trade.
3. Spare plank, fitted for laying down as a second, or slave deck.
4. Shackles, bolts, or handcuffs.
5. A larger quantity of water, in casks or in tanks, than is requisite for the consumption of the vessel as a merchant vessel.
6. An extraordinary number of water-casks, or of other vessels for holding liquid, unless the Master shall produce a certificate from the Custom-house at the place from which he cleared outwards, stating

that a sufficient security had been given by the Owners of such vessel that such extra quantity of casks, or of other vessels, should only be used to hold palm-oil, or for other purposes of lawful commerce.

7. A greater quantity of mess-tubs or kids than are requisite for the use of the crew of the vessel, as a merchant vessel.

8. A boiler, of an unusual size, and larger than requisite for the use of the crew of the vessel, as a merchant vessel; or more than one boiler of the ordinary size.

9. An extraordinary quantity either of rice; of the flour of Brazil; manioc, or cassada (commonly called "farinha;") of maize; or of Indian corn; beyond what might probably be requisite for the use of the crew; such rice, flour, maize, or Indian corn, not being entered on the manifest as part of the cargo for trade.

Any one or more of these several circumstances, if proved, shall be considered as *prima facie* evidence of the actual employment of the vessel in the Slave Trade; and the vessel shall thereupon be condemned, and declared lawful prize, unless satisfactory evidence upon the part of the Master or Owners shall establish that such vessel was, at the time of her detention or capture, employed in some legal pursuit.

ARTICLE II.

It is hereby mutually agreed, between the 2 High Contracting Parties, that in all cases in which a vessel shall, under the Treaty of the 23d November, 1826, or under the present Supplementary Articles thereto, be detained by a cruiser of either of the 2 High Contracting Parties duly authorized thereto, on the ground of such vessel having been engaged in the Slave Trade, or having been fitted out for the purposes thereof, and such vessel shall consequently be adjudged and condemned by the Mixed Courts of Justice established under the aforesaid Treaty of 23d November, 1826, the said vessel shall, immediately after its condemnation, be broken up entirely, and shall be sold in separate parts, after having been so broken up.

ARTICLE III.

The present Articles shall be ratified by the 2 High Contracting Parties, and the Ratifications shall be exchanged at the expiration of 6 months from the date hereof, or sooner, if it can be done.

In Witness, &c.

BRAZIL. (Consular.) BAHIA.

No. 55.

Mr. Parkinson to Viscount Palmerston.—(Received February 28, 1834.)

MY LORD,

British Consulate, Bahia, 14th August, 1833.

I HAVE the honour to transmit, for your Lordship's information, a List marked No. 1, of Vessels which cleared out from this Port for the Coast of Africa, during the 6 months ending 30th June last; together with a List, marked No. 2, of Vessels which entered this Port from the African Coast during the same period.

I have, &c.,

(Signed)

JOHN PARKINSON (Consul.)

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

First Enclosure in No. 55.

List of Vessels which have cleared out from this Port for the Coast of Africa, between the 1st day of (Translation.) January and the 30th day of June, 1833.

Date.	Country.	Class.	Name.	Tons.	Owner.	Master.	Crew.	Whither bound.	CARGO.
1833. Jan. 24.	Brazilian.	{ Brig schooner. }	Clara.	103		{ José da Silva Rios. }	21	Gold Coast.	1,633 rolls of tobacco, 30 pipes of rum, 8 packages and 1 case of goods.
Feb. 16.	Ditto.	Brig.	Tiberio.	118	{ Manoel Car- doso dos San- tos. }	{ Miguel Anto- nio Neto. }	23		7,094 rolls of tobacco, 25 pipes of rum, 12 packages of goods, and 50 barrels of to- bacco.
March.	Portuguese.	{ Brig schooner. }	Thereza.	130		{ Joaquim José Correia. }	24	Gold Coast.	2,517 rolls of tobacco, 37 pipes of rum, 4 packages of goods, and 12 barrels of re- fuse tobacco.
April 21.	Brazilian.	Brig.	Gloria.	121	{ José Raposo Ferreira. }	{ Manoel Si- moes da Silva. }	18	{ Gold Coast and Princes Island. }	4,076 rolls and 95 bar- rels of tobacco; 38 pipes, 6 quarter casks, and 19 barrels of rum; and 19 cables.
May 5.	Ditto.	Ditto.	{ Novo Destino. }	437	{ Antonio Pe- droso d'Albu- querque. }	{ Manoel An- tonio das Neves. }	26		465 rolls of tobacco, 254 barrels of ditto, and 1 half-pipe of ditto; 134 pipes of rum, and 3 quarter- casks and 15 barrels of ditto.
May 9.	Ditto.	Schooner.	Carolina.	100	{ João Fran- cisco de Souza Paraizo. }	{ João da Rocha, junior. }	20		720 rolls of tobacco, 18 pipes of rum, 190 demigeans of ditto, 1 barrel of knives, and 10 bundles of mer- chandise.
May 13.	Portuguese.	{ Brig schooner. }	Atrevido.	150		{ João Garcia; consigned to himself. }	27	Gold Coast.	1,385 rolls of tobacco, and 20 pipes of rum.
, ,	Brazilian.	Ditto.	Julia.	89	{ José Antonio Marques Braga. }	{ Manoel Ci- sino. }	18	{ Gold Coast, touching at the Island of St. Thomas. }	443 rolls of tobacco, 64 barrels of ditto, and 78 pipes of rum.
June 11.	Portuguese.	Ditto.	Virtude.	128	{ José Joaquim Machado. }	{ Manoel Isi- doro. }	20	Gold Coast.	40 pipes of rum, 200 rolls of tobacco, 7 packages of goods, and 7 boxes and 5 cases of ditto.
June 27.	Brazilian.	Ditto.	{ Duarte Felicidade. }	113		{ Zacharias de Assis Fer- reira. }	19	Ditto.	2,406 rolls of tobacco, and 12 pipes of rum.

(Signed)

FRANCISCO JOAQUIM ALVARES BRANCO MUNIZ BARRETTO.

Second Enclosure in No. 55.

List of Vessels which have entered this Port from the Coast of Africa, from the 1st of January to the 30th of June, 1833.
(Translation.)

Date.	Country.	Class.	Name.	Tons.	Owner.	Master.	Passenger.	Crew.	Whence.	CARGO.
1833.										
Feb. 14.	Brazilian.	Brig.	Fortuna.	117	. .	{ Francisco Pinto d'Aranjo Viaanna. }	. .	17	{ Ajuda, in 30 days. }	{ 9 barrels of oil, and 8 loaves of wax, consigned to Pedro Antram da Matta e Al- buquerque. In ballast, carry- ing a pivot gun midships; her water-casks up- right. }
April 18.	Portuguese.	{ Brig schooner. }	Atrevido.	185	. .	{ João Garcia; consigned to himself. }	. .	26	{ Aquitá, on the Coast of Africa, in 22 days. }	
(Signed) MANOEL JOSÉ VIEIRE, Second Lieutenant.										
June 11.	Brazilian.	{ Brig schooner. }	Clara.	102	{ José Alz da Cruz Rios. }	José da Silva Rodrigues.	{ Antonio José do Tretto. }	21	{ Gold Coast, in 23 days. }	Linens, oil, ivory, and coin.
June 27.	Portuguese.	Brig.	{ Socie- dade Felix. }	..	. .	Manoelda Costa.	. .	17	{ Angola, in 53 days. }	In ballast.

(Signed) HERMENEGILDO ANTONIO BARBOSA D'ALMEIDA, *Midshipman.*
FRANCISCO JOAQUIM ALVARES BRANCO MUNIZ BARRETTO,
Lieutenant-Colonel, at the Orders of the President.

No. 56.

Mr. Parkinson to Viscount Palmerston.—(Received February 28, 1834.)

MY LORD, *British Consulate, Bahia, 13th November, 1833.*

I BEG to acknowledge the receipt of your Lordship's Despatch, bearing date July 26th, together with a Copy of Papers marked A. and B., relating to the Slave Trade.

I have, &c.,

(Signed) JOHN PARKINSON, *Consul.*

The Right Hon. Viscount Palmerston, G.C.B.,

&c. &c. &c.

No. 57.

Mr. Parkinson to Viscount Palmerston.—(Received February 28, 1834.)

MY LORD, *British Consulate, Bahia, 18th December, 1833.*

I RESPECTFULLY submit to your Lordship the enclosed Copies of my Correspondence with the President of Bahia, touching the Portuguese brig-schooner, "*Atrevido*," from which a cargo of slaves was recently landed in this vicinity.

The vessel is American-built. She navigated under Portuguese colours; and about 3 years since was captured and condemned at Princes Island for piracy. Charles Shillitoe, Master and sole Owner of the schooner "*Margaret*," of London, purchased and navigated her from Princes Island hither, under the name of "*Emma*," despatched her to the coast, and exchanged her, as I am informed, at Ajudá, with the notorious "*de Souza*, or *Chá Chá*," for a cargo of slaves, which he succeeded in landing at the Havana.

Under the new proprietorship of *Chá Chá*, the "*Borboletta*," alias "*Emma*," became the "*Atrevido*," and was recognised here as a Portuguese vessel, with a change of ownership changing her external form. Originally a schooner, she has now become a brig-schooner, and is about to be converted into a brig.

In the month of she came from the coast "in ballast;" so reported, at least, although it was generally credited that about 400 slaves had been landed from her to the southward of Bahia.

On the authority of rumour only, I did not feel myself justified in making any official representation to the President.

A second voyage from the coast was completed in the month of

(B.)

G

Every body in Bahia but the Authorities knew that she had again landed slaves, but still distinct evidence of the fact was wanting.

On the 28th of October last she completed her third voyage for *Senhor de Souza Chá Chá*, and reported herself "in ballast," as usual.

The rumour, as customary, was, that she had safely landed her slaves (407;) and a credible informant assured me, that *Senhor João Garcia*, the commander, had, in his presence, made it matter of boast.

Under these circumstances I addressed my letter to the President of Bahia.*

His reply being but the echo of the exculpatory report of the very parties who were supposed to have been inattentive to duty, or perhaps corrupt, reduced me to the necessity of searching for stronger evidence.†

Accordingly I obtained the Official Report of the Officer of the guardship. I found his description of the vessel and her equipment at once indicated "slaver," or "pirate."‡

By further inquiry, I obtained information from one of the "*Atrevido's*" crew, that she landed about 400 slaves a few leagues to the northward of this harbour. The apprehension of private vengeance deterred the man from giving his deposition in regular form. Finally, however, I obtained the evidence of an eye-witness to many of the guilty proceedings.§

His solemnly attested narrative sufficiently confirms the suspicions entertained; and, from scrupulous inquiry into the character of the man, I have no hesitation in giving full credit to what he has revealed. My informant exacted the condition not to have his name divulged.

I lost no time in placing a copy of the man's statement in the hands of the President, when his Excellency with prompt candour assured me, that he did "not entertain a doubt that it was true."

Thus the matter rests. The truth and facts are before the Local Authorities, and they have only to follow up the guilty co-operators in this hitherto prosperous violation of humanity, and law, and treaty.

I have, &c.,

(Signed)

JOHN PARKINSON, *Consul.*

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

* Enclosure No. 1.

† Enclosure No. 2.

‡ Enclosure No. 3.

§ Enclosure, No. 4.

First Enclosure in No. 57.

Mr. Parkinson to the President of Bahia.

SIR,

British Consulate, Bahia, 6th November, 1833.

WITHOUT pretending to attach implicit confidence to a current report that several hundred slaves were recently landed in this vicinity from the Portuguese brig-schooner "*Atrevido*," which entered this port on the 28th instant, I feel it my duty to inquire if the rumour has yet reached your Excellency. I further beg to ask whether her passport was visited on the day of her arrival, in conformity with the 1st Article of the Decree of the 12th April, 1832, and whether the very important inquiries directed by the 3d Article of the Decree were answered satisfactorily or otherwise.

I beg to add, that I shall consider myself much obliged by your Excellency's early attention to this matter, and by the communication of such information as may enable me to satisfy the British Government that the Authorities of Bahia are sincere and zealous in carrying into effect the philanthropic intentions of the Supreme Government.

I have, &c.,

(Signed)

JOHN PARKINSON, *Consul.*

His Excellency the President of Bahia,

&c.

&c.

&c.

Second Enclosure in No. 57.

The President of Bahia to Mr. Parkinson.

(Translation.)

SIR,

Government Palace, Bahia, 11th November, 1833.

THE rumour was perfectly new to me, which in your letter of the 6th instant you state to be current, regarding a contraband landing of slaves from the Portuguese brig-schooner "*Atrevido*," and immediately I required special information thereon from the Judge of the Custom House.

He assures me that the vessel was most scrupulously examined in conformity with the existing legislative enactments to that effect, from which he concludes that there exist no grounds for suspecting that the Treaty was infringed.

Thus replying to you, I have to add, that if you should obtain more precise information concerning the matter, I should be glad to be made acquainted with it, in order to adopt the needful measures.

(Signed)

JOAQUIM JOZE PINHEIRO DE VASCONCELLOS.

The British Consul, Bahia,

&c.

&c.

&c.

Third Enclosure in No. 57.

Report of the Officer of the Guardship.

(Translation.)

PORTUGUESE brig-schooner "*Atrevido*," of 150 tons, "John Garcia," Master, from Princes Island, having touched at ports on the Gold Coast, 24 days' passage, cargo 6 casks of oil, and stone ballast. This brig-schooner came armed with a 9-pounder on a pivot, and 2 guns of calibre 6.

(Signed) GENAZIO MANCEBO,
2d Lieutenant commanding the "*Registro*" (Guardship.)

Fourth Enclosure in No. 57.

(Translation.)

Bahia, 10th December, 1833.

PERSONALLY came and appeared before me, John Parkinson, Esq., His Britannic Majesty's Consul in the Province of Bahia, N. N., solemnly affirming, and for truth declaring as follows: viz.

That on the day that the brig-schooner "*Atrevido*" entered this port under Portuguese colours, he went instantly on board, and there remained until the 8th day of the present month, there learning that a great part of her cargo of slaves had been disembarked about a league distant from Torre, 18 leagues to the north of Bahia.

That the remainder, on entering this port, were shipped in a "*Garoupeira*,"* which coasted along the Island of Itaparica to the Creek of Itapagipe, and landed the slaves at the sugar estate of Cabrito, 7 only excepted, who were invalids.

Twenty-four hours after the vessel was at anchor, these people were smuggled out from the fore cabin, plenty of food and water being shown to them, and a man with a whip in his hand being stationed there to prevent their talking.

Moreover, whilst the vessel was entering this port, a whale-boat came in pursuit, having on board, as it was said, armed men from the Torre. The brig-schooner fired 1 of her guns, they neared to communicate, and the crew of the whale-boat came on board, leaving their own boat made fast astern of the "*Atrevido*."

Does not know whether it was through negligence or bribery that the visiting Officer did not discover the slaves; the fact is, that no one went below, they only looked down the hatches. In order to effect the disembarkation of the slaves, a "viola" was sent for from shore, and the captain sat down to table with the guards, as if to divert them, causing them to drink freely; and, profiting of the time they were asleep, they got the slaves into the boat, and landed them at the "Caes Dourado," in the city of Bahia, close to the house of Vicente de Paula Silva, into which they were admitted about 4 o'clock in the morning; and he is certain that at this very time 40 or 50 blacks might be found at the store below the house of the said Vicente de Paula Silva.

Before the vessel came into port, some of the water-butts were taken to pieces, the staves being stowed away under the stone ballast, and the heads and bottoms being thrown overboard. Four of the guns with which the vessel is accustomed to be armed when she quits port were likewise stowed away equally under the ballast. Twenty days afterwards, profiting by the absence of the Custom House guard, who slept ashore that night, they got out the staves and landed them, and the casks, repaired and remounted, are now standing in front of the house of the said Vicente de Paula, as the vessel, when she goes out again, will take with her her stocks of water, in order to have nothing more to do than to take the slaves and return hither without delay.

It is the custom there, when a person goes to buy a slave, to receive for answer that they "will shortly come back with one, as well to afford time for bringing up the slave and dressing him, as to cause the belief that no slave existed in the very house, and that the parties were obliged to send out to get one for "shew," thereby to avoid any information being laid against them.

It is publicly known on board that the captain himself had said that he made a present of 2 young negroes to a superior Officer of the Custom House, and a pair of negro men for Cadeira, (Sedan Chair and Palanquin,) to a great authority on shore; who it was, he is not personally able to declare.

* A large sea-going boat, used in taking the fish called Garoupa.

No. 58.

Mr. Parkinson to Viscount Palmerston.—(Received April 14.)

MY LORD,

Bahia, 1st February, 1834.

I RESPECTFULLY transmit for your Lordship's information Lists (No. 1 and 2) of vessels which have cleared out from Bahia for the Coast of Africa, and entered this Port from that Coast, during the half year ending 31st December last.

I have, &c.,

(Signed)

JOHN PARKINSON, Consul.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

First Enclosure in No. 58.

List of Vessels that have sailed from this Port of Bahia, destined to the Coast of Africa, from the 1st of July, 1833, to the 31st of December, 1833.

(Translation.)

Date.	Country.	Class.	Name.	Tons.	Owner.	Captain.	Men.	Whither bound.	CARGO.
1833. July 14.	Brazilian.	Schooner.	{ Ethiopian Flower. (Flor da Ethiopia.) }	117	{ Antonio Pedroso de Albuquerque.* }	{ Hygino Augusto de Faria. }	21	Coast of Guinea.	{ 20 pipes of Brazilian rum. }
,, 30.	Portuguese.	Brig.	D ^a Theresa	122		{ Joseph Vieira de Faria. }	18	Angola.	{ 50 pipes of rum, 16 rolls of tobacco, 14 grass cables, 4 grass hawsers, 20 and 52 pieces of small rope, 30 pipes of wine, 30 barrels of flour, 32 barrels of powder, 12 boxes and 7 barrels of sugar, 20 pieces of cordage, and other small articles. }
Aug. 28.	Brazilian.	Ship.	Fortuna.	303	{ Jozé Raposa Hermenigildo, and Antonio Barbosa de Almedia. }	{ Joaquim Henry Tavares. }	38		{ 3,298 bales of tobacco, 12 pipes and 6 barrels of rum, 6 barrels of tobacco, and 48 laurel planks. }
Nov. 18.	Portuguese.	Brig.	{ Leal Portuensa. }	299	{ Manoel Martins Lopez. }	John Maria de Carvalho.	18	Angola.	{ 197 pipes of rum, 17 dozen of leather-bottomed chairs, 13 canopies and 1 sofa of same, 4 small boxes with images, a quantity of earthenware, 100 arrobas of Brazilian oakum, 40 barrels of powder, 27 bales of dry goods, 3 barrels of beads, 4 barrels of knives, 5 barrels of nails, and 4 boxes of shoes. }
,, 27.	Brazilian.	{ Brig-schooner. }	Clara.	133		{ Jozé Souza Teixeira. }	15	Ditto.	Rum.

* Owner of vessel and cargo.

Second Enclosure in No. 58.

List of Vessels that have arrived here from the Coast of Africa, from the 1st of July, 1833, to 31st December, 1833.

(Translation.)

Date.	Country.	Class.	Name.	Tons.	Captain.	Crew.	Whence.	CARGO.
1833. July 19.	Spanish.	Brig.	Llobregat.	186	{ Juan Bantul de Arrerte. }	37	{ Havana, in 14 days. }	In ballast.
,, 22.	Brazilian.	Schooner.	{ Maria Damiana. }	109	Robert Pereira.	16	{ Oni and Ajuda, in 37 days. }	
Sept. 6.	Portuguese.	Brig.	{ Leal Portuensa. }	..	{ John Maria de Carvalho. }	..	{ Angola, in 32 days. }	Bees' wax.
Oct. 20.	Ditto.	Schooner.	Josephina.	70	Manoel Dias.	..	{ Africa, in 30 days. }	{ Tobacco, rum, and dry goods. This schooner discharged no cargo on the coast, having returned with the same taken from here with manifest. }
,, 28.	Brazilian.	Brig.	Our Glory.	120	{ Manoel Simons da Silva. }	13	{ Princes Island, in 37 days. }	2,700 logs of dye wood.
,,	Portuguese.	{ Brig-schooner. }	Atrevido.	150	John Garcia.	24	{ Princes Island, in 24 days. }	6 casks palm oil and ballast.
Nov. 24.	Portuguese.	{ Brig-schooner. }	Theresa.	130	{ Joaquim José Correia. }	23	In 21 days.	In ballast.
Dec. 4.	Portuguese.	Schooner.	Olinda.	135	{ Philip Antonio Escrivanes. }	22	{ Angola, in 37 days. }	{ 421 parcels copal gum, 257 wooden basins, (large,) 100 quintals African rope, destined for Lisbon. }
,, 20.	Portuguese.	{ Brig-schooner. }	Maria Theresa.	90	{ Pedro Jozé Netto. }	15	{ Coast of Guinea, in 24 days. }	In ballast.

No. 59.

Mr. Parkinson to Viscount Palmerston.—(Received June 7.)

MY LORD,

Bahia, 11th April, 1834.

I HAVE the honour respectfully to transmit to your Lordship a Copy of an Affidavit, made before me, by one of the crew of the Spanish brig-schooner "*Musca*," detailing the particulars of another successful landing of slaves in the vicinity of this Port. My informant in this case assures me that, when the "*Musca*" reached this Coast, her provisions and water were so low as to make it matter of serious question whether the slaves should be kept or thrown overboard.

I have, &c.,

(Signed)

JOHN PARKINSON, *Consul*.*The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

Enclosure in No. 59.

On this 10th day of April, in the year of our Lord 1834, personally came and appeared before me, Rufino Alexandre, a native of Manila, and seaman belonging to the Spanish brig-schooner "*Musca*;" and being voluntarily sworn on the Holy Evangelists of Almighty God, did solemnly declare to the following effect, namely,—that, being at the Havana about 13 months ago, he shipped as seaman in the said brig-schooner, and proceeded in her to the coast of Africa, under the command of Senhor Juan Eressa, half Owner of the "*Musca*," in conjunction with Senhor Francisco Felix de Souza, (Chá Chá,) the Owner of the other half; that after touching at various places without finding a cargo, they finally obtained one from Senhor Francisco Felix de Souza (Chá Chá) aforesaid, at Ajuda, and receiving on board from him 255 male and female slaves; that they then proceeded on their voyage to the Brazil, and made the "Torre," a few leagues to the northward of Bahia, on or about the 8th day of March last; that the Mate of the vessel went on shore to concert with the Consignee, and the brig-schooner cruized off and on for the space of 4 or 5 days; that as he, the deponent, supposed and verily believes, a large launch, or fishing-vessel, called "*Garoupeira*," was sent out from the Port of Bahia, and joined company with the "*Musca*," and having discharged into her a cargo of stone ballast, the surviving slaves, namely, 228, (27 having died on the passage,) were trans-shipped into the launch, "*Garoupeira*," and, as he verily believes they were safely landed at night in or about Bahia; that, on or about the 14th of March last past, the brig-schooner "*Musca*" came to an anchor in this Port.

(Signed)

RUFFINO ALEXANDRE, his X mark.

(Signed)

JOSE LOURENCO SOBRAL (Witness.)

Sworn before me this 10th day
of April, 1834. }

(Signed)

JOHN PARKINSON, *Consul*.

No. 60.

Viscount Palmerston to Mr. Parkinson.

SIR,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to you, for your information, a Copy of Papers, marked A. and B., relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.,

J. Parkinson, Esq.,

(Signed)

PALMERSTON.

&c. &c. &c.

No. 61.

Mr. Parkinson to Viscount Palmerston.—(Received Nov. 6.)

MY LORD,

British Consulate, Bahia, 1st July, 1834.

I HAVE the honour to enclose for your Lordship's information, "Lists A. and B. of Vessels which have cleared out from Bahia to the Coast of Africa, and entered this Port from that Coast, during the 6 Months ending 30th June, 1834."

I have, &c.,

(Signed)

JOHN PARKINSON, *Consul*.*The Right Hon. Viscount Palmerston, G.C.B.,*

&c.

&c.

&c.

First Enclosure in No. 61.

List of Vessels which have arrived from the Coast of Africa within the 6 Months ending the 30th June, 1834.

(Translation.)

Date.	Country.	Class.	Name.	Tons.	Owner.	Master.	Mate.	Passengers.	Crew.	Whence.	CARGO.
1834. Feb. 1.	Spanish.	Schooner.	{ Tres Ma- nuélas. }	107	.. .. .	Jozé Marques.	.. .. .	.. .. .	25	{ St. Thomas, in 24 days. }	{ In ballast, con- signed to André Pinto da Silveira.
(Signed) G. MANCEBO, Second Lieutenant, and Visiting Officer.											
March 25	Spanish.	{ Brig- schooner. }	Zephiro.	124	.. .. .	Jozé Morra.	.. .. .	{ Manoel Car- doso dos Santos, Ma- noel Tarafa, and Sabino Joaquim de Amorim, José Bar- bosa, and José Ma- noel Pi- canço. }	25	{ Gold Coast, in 26 days. }	{ Oil and ballast, to Manoel Cardoso dos Santos.
April 3.	Brazilian.	Brig.	{ Novo Destino. }	530	{ Antonio Pedroso de Albuquerque. }	.. .. .	{ João An- tonio No- gueira. }	.. .. .	18	{ Princes Is- land, in 33 days. }	Dyewoods.
May 16.	French.	Brig.	{ Circum- stance. }	238	.. .. .	.. .. .	.. .. .	.. .. .	9	{ Havana, in 69 days. }	{ 150 pipes of spi- rits, 180 cases of sugar, 20,000 segars, and 30 straw hats.
June 30.	Portuguese.	Schooner.	Deligencia.	106	Joaó Pereira.	Joaó Pereira.	.. .. .	.. .. .	8	Gold Coast.	In ballast.

Second Enclosure in No. 61.

List of Vessels which have sailed for the Coast of Africa, commencing the 1st January, and ending the 30th June, 1834.

(Translation.)

Date.	Country.	Class.	Name.	Tons.	Master.	Crew.	Whither bound.	CARGO.
1834. Jan. 19.	Portuguese.	{ Brig- schooner. }	Theresa.	184	{ Joaquim José Correia. }	27	{ St. Thomas and Princes Islands. }	{ 346 small rolls of to- bacco, 25 pipes of spirits, and 35 cases of goods, consigned to Manoel Cardoso dos Santos.
Feb. 4.	Brazilian.	Snow.	{ Maria Damiana }	154	{ Manoel Ro- berto Pereira. }	18	Coast of Mina.	{ 3,141 small rolls of tobacco, 53 pipes and 2 half-pipes of spi- rits, and six bales of goods.
Mar. 12.	Spanish.	Schooner.	{ Tres Ma- nuélas. }	107	José Marques.	22	Coast of Africa.	1,050 rolls of tobacco.
,, 23.	Brazilian.	Patacho.	Boa Sorte.	109	{ José Teixeira da Nobrega. }	14	Gold Coast.	{ 2,270 rolls of tobacco, 40 pipes and 4 barrels of spirits, consigned to Bernardo Alves de Moura.
April 13.	French.	Barque.	Reparateur.	206	B. J. Beauprés.	13	Ditto.	Tobacco and spirits, consigned to Vicente de Paula.
,, 18.	Portuguese.	Brig.	Atrevido.	157	João Garcia.	25	Ditto.	Tobacco and spirits.
May 11.	Spanish.	Snow.	Mosca.	53	João Esiva.	15	Ajudá.	{ 928 arrobas of tobacco, in small rolls, and 4 barrels of spirits.
,, 12.	Spanish.	{ Brig- schooner. }	Zephiro.	128	José Mora.	23	Gold Coast.	{ 2,615 small rolls of tobacco, 25 pipes of spirits, and 15 barrels of bad tobacco.
,, 18.	Portuguese.	Brig.	D ^a Theresa.	157	{ Bernardo Xa- vier da Costa. }	19	Loanda.	General cargo.

BRAZIL. (*Consular.*) MARANHAM.

No. 62.

Mr. Tanton to Viscount Palmerston.—(Received March 12.)

MY LORD,

Consul's Office, Maranham, 2d January, 1834.

ON the evening of the 31st ultimo, His Majesty's brig "Dispatch," under the command of George Daniell, Esq., arrived off this Port from Barbadoes, and reported that, at about 6 o'clock in the evening of the 25th of same month, in latitude 2° 36' North, and longitude 39° 3' West, boarded and captured the Spanish schooner "*Roxa*," of about 80 or 90 tons burthen, with a crew of 22 men, and armed with 2 guns and small arms, having on board 292 slaves.

The Captain of the "*Roxa*," a native of Barcelona, reported to have brought the slaves from near Whydah, in the Bight of Benin, on the Coast of Africa, and that she was bound for the Havana.

That 293 slaves had been received on board, but 1 had died during the voyage; and, from the date of her Papers, it appeared that she had left the Coast of Africa about the 23d November.

I have, &c.,

(Signed)

JAMES F. TANTON, *Deputy Consul.*

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

FRANCE.

No. 63.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 23d January, 1834.

WITH reference to my Despatch to Mr. Aston, of the 5th of September, 1833, and to my Despatch to your Excellency of the 8th of October following, upon the subject of the proposed invitation to Maritime Powers to accede to the Conventions concluded between Great Britain and France on the 30th of November, 1831, and the 22d of March, 1833, for the suppression of the Traffic in Slaves, I herewith transmit to your Excellency the Draft of a Note of Invitation to the Governments of Austria, Prussia, Russia, Sardinia, and Naples, which you will submit to the Duc de Broglie; proposing, at the same time, that a Draft of a Note, couched in these terms, should be forwarded by the British and French Governments, respectively, to the Representatives of Great Britain and France at Vienna, Berlin, St. Petersburg, Turin, and Naples, to be presented by those Ministers to the several Governments to which they are accredited.

I am, &c.,

The Right Hon. Earl Granville, G.C.B., (Signed)
&c. &c. &c.

PALMERSTON.

Enclosure in No. 63.

The Undersigned, &c., has received Orders from his Court to make the following communication to, &c.

Two Conventions, one of them Principal, the other Supplementary, both of which have for their object the more effectual suppression of the Slave Trade, were concluded, the one on the 30th of November, 1831, and the other on the 22d of March 1833, between His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French.

By Article 9 of the Principal Convention, the 2 High Contracting Parties stipulated that they would, in concert, invite the accession of the other Maritime Powers, within as short a period as possible.

In consequence of this stipulation, the undersigned has been directed to transmit, for the information of , the accompanying Copies of the 2 Conventions above mentioned, as well as of the several documents annexed to them; and to invite His (Imperial) Majesty, in the name of His Majesty the King of the United Kingdom of Great Britain and Ireland, to accord his accession thereto, by the execution of a formal Treaty to that effect with the Contracting Parties to the original Conventions.

No. 64.

Earl Granville to Viscount Palmerston.—(Received February 10.)

MY LORD,

Paris, 7th February, 1834.

I HAVE the honour to enclose the Copy of the Answer I have just received from the Duc de Broglie to the Note, which, in obedience to your Lordship's orders, I addressed to His Excellency on the 27th ultimo, communicating to him the Draft of the Note in which it is intended by His Majesty's Government to invite those of Austria, Prussia, Russia, Sardinia, and Naples, to accede to the Conventions concluded between Great Britain and France in November, 1831, and March, 1833, for the suppression of the Slave Trade. His Excellency, in this Note, suggests to the consideration of your Lordship the expediency of adding to the Note addressed to those Governments, in the event of their assenting to this invitation, a proposition for the execution of a formal Treaty by which their accession may be carried into some practical effect.

I have, &c.,

(Signed)

GRANVILLE.

The Right Hon. Viscount Palmerston, G.C.B.,

Enclosure in No. 64.

The Duc de Broglie to Earl Granville.

MONSIEUR L'AMBASSADEUR,

Paris, le 1er Février, 1834.

J'AI reçu, avec la lettre que votre Excellence m'a fait l'honneur de m'adresser le 27 de ce mois, le projet d'une Note que votre Gouvernement propose de faire présenter simultanément par les Représentans de Sa Majesté Britannique, et par les Représentans du Roi, mon Souverain, aux Cours d'Autriche, de Prusse, de Russie, de Sardaigne, et de Naples, à l'effet de provoquer leur accession aux Conventions conclues entre la France et la Grande Bretagne le 30 Novembre, 1831, et le 22 Mars, 1833, au sujet de la répression de la Traite des Noirs.

Je m'empresse d'annoncer à votre Excellence que ce projet de Note répond parfaitement aux vues du Gouvernement du Roi, et que je vais, en conséquence, en transmettre une traduction à MM. les Ambassadeurs de Sa Majesté à Vienne, à St. Pétersbourg, à Naples, et à Turin, ainsi qu'au Ministre du Roi à Berlin, en les invitant à se concerter avec MM. les Représentans de Sa Majesté Britannique pour passer simultanément aux Gouvernemens près desquels ils sont respectivement accrédités, des Notes textuellement pareilles au projet.

Le Cabinet de Sa Majesté Britannique jugera toutefois s'il ne serait pas convenable d'ajouter immédiatement à la demande d'accession, la proposition de réaliser l'accession au moyen d'un *Traité formel*. J'autoriserai éventuellement MM. les Agens du Roi à terminer par cette proposition, la Note qu'ils auront à remettre, dans le cas où votre Gouvernement croirait devoir y autoriser également les Agens de Sa Majesté Britannique.

Son Excellence Earl Granville,
&c. &c. &c.

Agrérez, &c.

(Signé)

V. BROGLIE.

(Translation.)

The Duc de Broglie to Earl Granville.

MONSIEUR L'AMBASSADEUR,

Paris, 1st February, 1834.

I HAVE received, with the letter which your Excellency did me the honour to address to me on the 27th instant, the project of a Note which your Government proposes to have presented simultaneously by the Representatives of his Britannic Majesty, and by those of the King, my Sovereign, to the Courts of Austria, Prussia, Russia, Sardinia, and Naples, with the view of obtaining their accession to the Conventions concluded between France and Great Britain, on the 30th November, 1831, and the 22d March, 1833, on the subject of the repression of the Slave Trade.

I hasten to inform your Excellency that this project of a Note perfectly answers the views of the King's Government, and that accordingly I shall send a translation of it to His Majesty's Ambassadors at Vienna, St. Petersburg, Naples, and Turin, as well as to the King's Minister at Berlin, requesting them to communicate with the Representatives of His Britannic Majesty, with the view of transmitting simultaneously, to the Governments to which they are respectively accredited, Notes of the same import as the project.

The Cabinet of His Britannic Majesty will, nevertheless, consider whether it would not be advisable to add immediately to the request of accession, the proposal of realizing the accession by means of a formal Treaty. I shall eventually authorize the King's Agents to conclude with this proposal the Note which they will have to present, in case your Government should think proper likewise to authorize the Agents of His Britannic Majesty thereto.

His Excellency Earl Granville,
&c. &c. &c.

Receive, &c.

(Signed)

V. BROGLIE.

No. 65.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 27th February, 1834.

THE Board of Admiralty have requested, by a Letter of which I transmit to your Excellency a Copy, that Warrants, under the recent Conventions with France on Slave Trade, may be issued for the Brazil Station, by the French Government, to His Majesty's ships "Snake," Commander William Robertson; "Satellite," Commander Robert Smart; and "Rapid," Lieutenant and Commander Frederick Patten; in lieu of Warrants which have been already issued by the French Government, for the same Station, to the Commanders of the "Rattlesnake," the "Samarang," and the "Pylades," which latter Warrants are herewith returned to be transmitted to the French Government, in order to be cancelled.

I have to desire, therefore, that your Excellency will make the necessary application to the French Government for a compliance with the present request of the Board of Admiralty.

I am, &c.,

(Signed)

PALMERSTON.

The Right Hon. Earl Granville, G.C.B.,
&c. &c. &c.

(B.)

H

Enclosure in No. 65.

Mr. Barrow to Sir George Shee.

SIR,

THE Admiral commanding the British squadron on the South American station, having requested that the vessels named in the margin* should be supplied with Warrants under the Slave Trade Conventions with France, in lieu of the "Samarang," "Rattlesnake," and "Pylades;" I am commanded by my Lords Commissioners of the Admiralty to transmit to you herewith the Warrants which had been issued for the "Samarang," "Rattlesnake," and "Pylades," and to request that you will move Viscount Palmerston to cause the same to be returned to the French Government, to be cancelled, and to request that Warrants for the Brazil Station may, in lieu thereof, be transmitted to this office for the following vessels:

"Snake," Commander William Robertson; "Satellite," Commander Robert Smart; "Rapid," Lieutenant and Commander Frederick Patten.

Sir George Shee, Bart.,
&c. &c. &c.

I am, &c.,

(Signed)

JOHN BARROW.

* "Snake," "Satellite," "Rapid."

No. 66.

Earl Granville to Viscount Palmerston.—(Received March 13.)

MY LORD,

Paris, 10th March, 1834.

I HAVE the honour to transmit to your Lordship the Copy of a Note* which I have received from the French Minister for Foreign Affairs, enclosing the Warrants for His Majesty's ships "Snake," "Satellite," and "Rapid," on the Brazilian Station, in execution of the Conventions concluded between Great Britain and France for the better suppression of the Traffic in Slaves.

I have, &c.,

(Signed)

GRANVILLE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

* Sent to the Admiralty March 17, 1834.

No. 67.

Earl Granville to Viscount Palmerston.—(Received March 17.)

MY LORD,

Paris, 14th March, 1834.

I HAVE the honour to enclose the Copy of a Note addressed to me by the Duc de Broglie, in which, with reference to the 6th Article of the Convention between Great Britain and France, for the more effectual suppression of the Slave Trade, stipulating that the other Maritime Powers be invited to accede to the principles laid down by the 2 Contracting Parties, he desires to be informed whether it is intended by His Majesty's Government to leave the respective Treaties, made by them with certain Maritime Powers, still in force; or whether it is in contemplation to rescind such Treaties already existing, and to supply their place by a general Agreement between all Maritime Powers, upon the basis of the Convention of the 30th November, as developed by the Supplementary Convention of the 22d March, 1833. Should His Majesty's Government prefer to adopt the former course, the French Government would then, separately, and with reference to France only, invite those Powers to accede to the Convention of the 30th November.

I have, &c.,

(Signed)

GRANVILLE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 67.

The Duc de Broglie to Earl Granville.

MONSIEUR L'AMBASSADEUR,

Paris, le 11 Mars, 1834.

L'ARTICLE 6 de la Convention conclue entre la France et la Grande Bretagne, le 30 Novembre, 1831, au sujet de la repression de la Traite des Noirs, stipule que les 2 Parties Contractantes provoqueront l'accession de toutes les Puissances Maritimes aux principes convenus entre elles.

Jusqu'à présent aucune démarche commune n'a été faite, en exécution de cet Article, auprès des Puissances avec lesquelles la Grande Bretagne avait précédemment conclu des Traités particuliers pour assurer le concours de sa marine à la repression des crimes de traite commis sous leurs pavillons.

Le Gouvernement du Roi désire savoir s'il entre dans les intentions de Sa Majesté Britannique de renoncer à ces Traités particuliers et de fonder un Accord général entre toutes les Puissances Maritimes sur les bases de la Convention du 30 Novembre développées par la Convention supplémentaire du 22 Mars, 1833, ou, s'il préfère s'en tenir à ses engagements particuliers vis-à-vis des diverses Puissances, avec lesquelles il en existe en ce moment? Dans ce dernier cas, le Gouvernement du Roi provoquerait isolément l'accession de ces Puissances à la Convention du 30 Novembre, mais à l'égard de la France seulement.

Je vous prie, Monsieur l'Ambassadeur, de vouloir bien soumettre cette question, ainsi que cette observation, à votre Gouvernement, et de me faire connaître sa réponse.

Agréé, &c.,

(Signé)

V. BROGLIE.

Son Excellence Earl Granville,
&c. &c. &c.

(Translation.)

Duc de Broglie to Earl Granville.

MONSIEUR L'AMBADEUR,

Paris, 11th March, 1834.

THE 6th Article of the Convention concluded between France and Great Britain, on the 30th November, 1831, relative to the repression of the Slave Trade, stipulates that the 2 Contracting Parties shall procure the accession of all Maritime Powers to the principles agreed on between them.

Hitherto no common step has been taken, in execution of that Article, with the Powers with whom Great Britain had previously concluded particular Treaties for the purpose of ensuring the aid of their navy towards the repression of the crimes of the Slave Trade committed under their flags.

The King's Government would be glad to know whether it enters into the views of His Britannic Majesty to relinquish these particular Treaties, and to bring about a general Agreement among all the seafaring Powers, on the basis of the Convention of the 30th November, laid down by the Supplementary Convention of March 22, 1833; or, whether it prefers abiding by its special engagements with the different Powers with whom there subsist any at this moment? In this latter case the King's Government would alone entreat the accession of those Powers to the Convention of the 30th November, but in relation to France only.

I request, Monsieur l'Ambassadeur, that you will have the goodness to lay this question and this observation before your Government, and to inform me of its answer.

Receive, &c.,

(Signed)

V. BROGLIE.

His Excellency Earl Granville,
&c. &c. &c.

No. 68.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 19th April, 1834.

I HAVE received your Excellency's Despatch of the 14th ultimo, together with its Enclosure, respecting the Agreement contained in the 9th Article of the Convention with France of the 30th of November 1831, for inviting the Maritime Powers of Europe to accede to the Convention. In conformity with that Agreement, an invitation has already been addressed to the United States of America; Denmark has also been invited, and has expressed her readiness to accede; and the Ministers of Great Britain at Turin, at Naples, at Berlin, at St. Petersburg, and at Vienna, have been instructed to address, in concert with their colleagues of France, invitations to the Courts to which they are respectively accredited.

With Portugal, Brazil, the Netherlands, Spain, and Sweden, Great Britain has already contracted Treaties, which contain more extensive stipulations, and afford more effectual means for the suppression of the Slave Trade, than are contained in the recent Conventions between Great Britain and France, and it would tend, therefore, to defeat, instead of promoting, the object of the Conventions between Great Britain and France, if Great Britain were to invite Courts with whom she has concluded such Treaties, as above described, to rescind those Treaties, and to substitute in their stead an accession to a Convention of a less effectual character.

Your Excellency is instructed to state to the French Minister, that, for the above reasons, it is not the intention of Great Britain to address any invitation on this subject to Portugal, to Brazil, to the Netherlands, to Spain, or to Sweden.

The Conventions, however, with France contain 2 very important stipulations, which have not yet been acceded to by all of the above-mentioned Powers.

These are, first, the stipulation whereby ships found to be equipped for the Slave Trade are to be dealt with in the same manner as if they actually had slaves on board; and, secondly, the stipulation by which ships, after being condemned for Slave Trade, are to be broken up before they are sold.

The first of these stipulations is contained in our Treaties with the Netherlands and with Sweden; but not in those with Spain, with Portugal, and with Brazil: the second is not contained in any Treaty which Great Britain has yet concluded, except that with France.

The French Government might, therefore, render an important service to the humane cause in which all the parties are engaged, if they would, in concert with the Ministers of His Majesty, press upon the Governments of the States just named the expediency of entering with Great Britain into the 2 last-mentioned stipulations.

I am, &c.,
(Signed) PALMERSTON.

The Right Hon. Earl Granville, G.C.B.,
 &c. &c. &c.

No. 69.

Earl Granville to Viscount Palmerston.—(Received May 15.)

MY LORD,

Paris, 12th May, 1834.

I HAVE the honour to enclose the Copy of a Note which I have addressed to the Count de Rigny, conformably to the Instructions contained in your Lordship's Despatch of the 19th of April of the present year.

I have, &c.,
(Signed) GRANVILLE.

The Right Hon. Viscount Palmerston, G.C.B.,
 &c. &c. &c.

Enclosure in No. 69.

Lord Granville to the Comte de Rigny.

MONSIEUR LE COMTE,

Paris, 6th May, 1834.

WITH reference to the note which your Excellency's predecessor in office addressed to me on the 11th of last March, having for object to ascertain whether, with respect to the 6th Article of the Convention concluded between Great Britain and France of the 30th November, 1831, His Majesty's Government intended to leave the respective Treaties made by them with certain Maritime Powers still in force, or if it was in contemplation to rescind such Treaties already existing, and to substitute in their stead a general Agreement, founded upon the basis of that Convention, I am instructed to submit to your Excellency, in answer, the following observations:

In conformity with the aforesaid agreement, an invitation has already been addressed to the United States of America. Denmark has also been invited, and has expressed her readiness to accede; and the Ministers of Great Britain, at Turin, at Naples, at Berlin, at St. Petersburg, and at Vienna, have been instructed to address, in concert with their colleagues of France, invitations to the Courts to which they are respectively accredited.

With Portugal, Brazil, the Netherlands, Spain, and Sweden, Great Britain has already contracted Treaties, which contain more extensive stipulations, and afford more effectual means for the suppression of the Slave Trade, than are contained in the recent Conventions between Great Britain and France; and it would tend therefore to defeat, instead of promoting, the object of the Conventions between Great Britain and France, if Great Britain were to invite Courts, with whom she has concluded such Treaties as above described, to rescind those Treaties, and to substitute in their stead an accession to a Convention of a less effectual character. For these reasons it is not the intention of His Majesty's Government to address any invitation on this subject to Portugal, to Brazil, to the Netherlands, to Spain, or to Sweden.

The Conventions, however, with France, contain 2 very important stipulations, which have not yet been acceded to by all the above-mentioned Powers.

These are, first, the stipulation whereby ships, found to be equipped for the Slave Trade, are to be dealt with in the same manner as if they actually had slaves on board; and, secondly, the stipulations by which ships, after being condemned for Slave Trade, are to be broken up before they are sold.

The first of these stipulations is contained in the Treaties concluded between Great Britain and the Netherlands, and with Sweden; the second is not contained in any Treaty which Great Britain has yet concluded, except that with France.

The French Government may therefore render an important service to the humane cause in which all the parties are engaged, if they will, in concert with the Ministers of His Majesty, press upon the Governments of the States just named, the expediency of entering with Great Britain into the 2 last-mentioned stipulations, and I am therefore directed to invite your Excellency to cause Instructions to that effect to be given to the Ministers of the French Government at the above-mentioned Courts.

I have, &c.,
(Signed) GRANVILLE.

His Excellency the Comte de Rigny,
 &c. &c. &c.

No. 70.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 3d June, 1834.

YOUR Excellency will perceive, by the accompanying Copy of a Despatch* which I have received from Sir Charles Vaughan, that the President of the

* See No. 122.

United States of America had returned an unfavourable answer to the proposal which was made to him on the part of the British and French Governments, to accede to the Conventions on the subject of Slave Trade which were recently concluded between Great Britain and France.

His Majesty's Government, however, are unwilling to consider the answer of the President as an absolute refusal, and they wish to make another effort to obtain a favourable reception of this proposal.

They are desirous, therefore, provided the French Government shall concur, that the Ministers of Great Britain and France shall be furnished with an Instruction to renew to the United States' Government the proposal to accede to the Conventions in question, without any stipulation for extending the right of search to the Coasts of America.

It was to this last-mentioned stipulation that the American Minister limited his objection when he declined the proposal which was made to him by Sir C. Vaughan, and His Majesty's Government are of opinion that it will be expedient to remove the difficulty by yielding the contested point.

I send to your Excellency a Draft* of a proposed Instruction to Sir C. Vaughan, and you are instructed to communicate it to the French Government, together with the Despatch from Sir C. Vaughan above adverted to, and to propose that similar Instructions should be given by them to their Minister at Washington.

I have, &c.,

(Signed) PALMERSTON.

The Right Hon. Earl Granville, G.C.B.,

&c. &c. &c.

* See No. 123.

No. 71.

Earl Granville to Viscount Palmerston.—(Received June 12.)

MY LORD,

Paris, 9th June, 1834.

I HAVE had the honour to receive your Lordship's Despatch of the 3d instant, and, in conformity with the Instructions therein contained, I addressed a Note to the French Minister for Foreign Affairs, a Copy of which is herewith enclosed.

I have, &c.,

(Signed) GRANVILLE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c. &c. &c.

Enclosure in No. 71.

Earl Granville to the Comte de Rigny.

MONSIEUR LE COMTE,

Paris, 6th June, 1834.

INTELLIGENCE has been received by His Majesty's Government, from the British Minister at Washington, that the President of the United States has returned an unfavourable answer to the proposal which was made to him, on the part of the British and French Governments, to accede to the Conventions on the subject of Slave Trade which were recently concluded between Great Britain and France.

His Majesty's Government, however, are unwilling to consider the answer of the President as an absolute refusal, and they wish to make another effort to obtain a favourable reception of their proposal.

I am instructed, therefore, to express to your Excellency the desire of His Majesty's Government that the Ministers of Great Britain and France at Washington shall be furnished with Instructions to renew to the Government of the United States the proposal to accede to the Conventions in question without any stipulation for extending the right of search to the Coasts of North America.

It was to this last-mentioned stipulation that the American Minister limited his objection when he declined the proposal which was made to him by His Majesty's Envoy; and His Majesty's Government are of opinion that it will be expedient to remove the difficulty by yielding the contested point.

I have the honour to enclose* the Draft of a proposed Instruction to Sir Charles Vaughan, together with a Copy of a Despatch from that Minister upon the subject adverted to; and His Majesty's Government, feeling persuaded that the French Government will readily co-operate towards the conclusion of so desirable an arrangement, have directed me to propose to your Excellency that similar Instructions should be given to the French Minister in the United States.

I have, &c.,

(Signed) GRANVILLE.

The Comte de Rigny,

&c. &c. &c.

* See Nos. 122 and 123.

Earl Granville to Viscount Palmerston.—(Received June 30.)

MY LORD,

Paris, 27th June, 1834.

I HAVE the honour to enclose a Copy of a Note which I have received from the Count De Rigny, in reply to a representation I addressed to His Excellency, in compliance with the Instructions contained in your Lordship's Despatch, of the 3d instant, in which His Excellency states that Instructions will be forwarded to the French Minister at Washington, to renew to the Government of the United States, in concert with His Majesty's Minister at that place, the proposal to accede to the Conventions concluded between Great Britain and France on the subject of the Slave Trade, without any stipulation for extending the right of search to the Coasts of North America.

I have, &c.,

(Signed)

GRANVILLE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 72.

The Comte de Rigny to Earl Granville.

MONSIEUR L'AMBASSADEUR,

Paris, ce 21 Juin, 1834.

VOTRE Excellence, par la Note qu'elle m'a fait l'honneur de m'adresser le 6 de ce mois, m'exprime, au nom de son Gouvernement, le désir que le Ministre du Roi à Washington soit autorisé à faire, de concert avec le Ministre de Sa Majesté Britannique, de nouvelles démarches pour déterminer le Gouvernement des Etats Unis à acceder aux Conventions conclues entre la France et l'Angleterre pour la répression de la Traite des Noirs; votre Excellence ajoute que le Gouvernement de Sa Majesté Britannique, dans le but de faciliter le succès de ces démarches, renonce à la proposition qu'il avait faite isolément d'étendre le droit de visite aux Côtes des Etats Unis, proposition qui semble avoir été le motif principal du refus opposé par le Gouvernement Fédéral à la demande collective d'accession formée au nom des 2 Puissances. Le Gouvernement du Roi aurait eu peu d'espoir d'amener par de nouvelles instances le Gouvernement des Etats Unis, à adhérer aux principes consacrés entre la France et la Grande Bretagne, pour la répression plus efficace de l'odieuse Traite des Noirs, si le Cabinet de Sa Majesté Britannique avait jugé devoir insister sur l'adoption d'une Clause qui, dans les négociations directes qu'il avait suivies il y a quelques années avec les Etats Unis, avait déjà soulevé de la part de ces derniers de vives objections. Mais cette Clause se trouvant écartée, de nouvelles démarches peuvent avoir plus de chances de succès; suivant le vœu que votre Excellence a été chargé de transmettre au Gouvernement du Roi, j'adresse au Ministre de Sa Majesté à Washington les instructions nécessaires pour l'autoriser à les entreprendre et à les suivre avec instance, de concert avec le Ministre de Sa Majesté Britannique.

Agréez, &c.

(Signé)

COMTE DE RIGNY.

Son Excellence Earl Granville,

&c.

&c.

&c.

(Translation.)

The Comte de Rigny to Earl Granville.

MONSIEUR L'AMBASSADEUR,

Paris, 21st June, 1834.

YOUR Excellency, by the Note which you did me the honour to address to me on the 6th instant, expresses to me, in the name of your Government, the wish that the King's Minister at Washington may be authorized to take, in concert with His Britannic Majesty's Minister, fresh steps for determining the Government of the United States to accede to the Conventions concluded between France and England for the repression of the Slave Trade, adding that his Britannic Majesty's Government, with the view of facilitating the success of these steps, gives up the proposition which it had made separately to extend the right of search to the Coasts of the United States, which proposition seems to have been the principal ground for the refusal given by the Federal Government to the united request of accession preferred in the name of the 2 Powers. The King's Government would have entertained little hope of inducing the Government of the United States, by fresh representations, to embrace the principles acted upon by France and Great Britain, for the purpose of more effectually repressing the hateful Slave Trade, if His Britannic Majesty's Cabinet had thought proper to insist on the adoption of a Clause which, in the direct negotiations it had some years since conducted with the United States, had already, on the part of the latter, given rise to such serious objections. As, however, by the waving of this Clause, new steps may have a better chance of success, I have, in compliance with the wish which your Excellency has been directed to state to the King's Government, transmitted to His Majesty's Minister at Washington the requisite instructions for authorizing him to commence and follow them up diligently in conjunction with His Britannic Majesty's Minister.

Receive, &c.

(Signed)

COMTE DE RIGNY.

His Excellency Earl Granville,

&c.

&c.

&c.

No. 73.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to your Excellency, for your information, 3 Copies of Papers, marked A and B, relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.,

The Right Hon. Earl Granville, G.C.B.,

(Signed)

PALMERSTON.

&c.

&c.

&c.

No. 74.

Earl Granville to Viscount Palmerston.—(Received July 16.)

MY LORD,

Paris, 14th July, 1834.

I HAVE the honour to enclose the Copy of a Note which I have received from the Count de Rigny, in reply to the representation which, conformably to the Instructions contained in your Lordship's Despatch of the 19th April, I addressed to His Excellency upon the subject of inviting the Governments of Portugal, of Brazil, of the Netherlands, of Spain, and of Sweden, to accede to certain stipulations in the recent Conventions upon Slave Trade, between Great Britain and France, which are not contained in the Treaties which Great Britain has yet concluded with the above-mentioned Powers.

I have, &c.,

(Signed)

GRANVILLE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 74.

The Comte de Rigny to Earl Granville.

MONSIEUR L'AMBASSADEUR,

Paris, le 11 Juillet, 1834.

D'APRÈS les observations que votre Excellence m'a fait l'honneur de me transmettre le 6 Mai dernier, le Gouvernement du Roi a donné aux Agens de Sa Majesté auprès des Cours d'Espagne, de Portugal, du Brésil, de Suède, et des Pays-Bas, avec lesquelles la Grande Bretagne se trouve liée relativement à la répression de la traite, par des engagements particuliers, l'ordre d'inviter ces Puissances à accéder vis-à-vis de la France seulement aux stipulations des Conventions conclues sur le même objet, entre le Roi et Sa Majesté Britannique, le 30 Novembre, 1831, et le 22 Mars, 1833.

Le Gouvernement de Sa Majesté se flatte que le Cabinet Britannique voudra bien prêter son office aux démarches que les Agens du Roi auront à faire en conséquence : de son côté ayant égard au vœu que votre Excellence a été chargé de lui exprimer, il s'est empressé d'autoriser les Missions Françaises auprès des Cours ci-dessus nommées à joindre leurs instances à celles des Agens de Sa Majesté Britannique, pour faire ajouter aux Traités particuliers de la Grande Bretagne avec ces Cours, quelques unes des clauses des Conventions conclues avec la France.

Agréez, &c.

Son Excellence Earl Granville,

&c.

&c.

&c.

(Signé)

COMTE DE RIGNY.

(Translation.)

The Comte de Rigny to Earl Granville.

MONSIEUR L'AMBASSADEUR,

Paris, 11th July, 1834.

IN consequence of the observations which your Excellency did me the honour to address to me on the 6th of May last, the King's Government has transmitted to His Majesty's Agents at the Courts of Spain, Portugal, Brazil, Sweden, and the Netherlands, with which Great Britain is on amicable terms, respecting the repression of the Slave Trade by particular engagements, the order of requesting these Powers to accede, in as far only as France is concerned, to the stipulations of the Conventions concluded on that subject between the King and His Britannic Majesty on the 30th November, 1831, and the 22d March, 1833.

His Majesty's Government flatters itself that the British Cabinet will be pleased to aid with its good offices the steps which the King's Agents will have to take accordingly : on its part, in reference to the wish which your Excellency has been directed to express to it, it has lost no time in authorizing the French Missions at the above Courts to unite their entreaties to those of the Agents of His Britannic Majesty to induce them to add to the particular Treaties of Great Britain with those Courts some of the clauses of the Conventions concluded with France.

Receive, &c.

His Excellency Earl Granville,

&c.

&c.

&c.

(Signed)

COMTE DE RIGNY.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 31st July, 1834.

I HAVE received and laid before the King, your Excellency's Despatch of the 14th of July, 1834; and I herewith forward* to your Excellency the Copy of an Instruction, which, by His Majesty's Command, I have addressed to His Majesty's Ministers at Madrid, Lisbon, the Hague, Stockholm, and Rio de Janeiro, directing them to render every assistance in their power to the Ministers of France at the above-mentioned Courts, in their endeavours to prevail upon those Courts to accede to the Conventions between Great Britain and France on Slave Trade.

I am, &c.,

The Right Hon. Earl Granville, G.C.B.,
&c. &c. &c.

(Signed) PALMERSTON.

* See Nos. 12 and 23, 34, 39, 107.

Viscount Palmerston to Earl Granville.

MY LORD,

Foreign Office, 30th September, 1834.

WITH reference to the invitation which has been addressed to the Emperor of Russia, to accede to the 2 Conventions concluded between His Majesty and the King of the French, for the more effectual suppression of the Slave Trade, I transmit* to your Excellency the Copy of a Despatch which I have received from Mr. Bligh, enclosing a Copy of a Note addressed to him by Count Nesselrode in answer to that invitation.

I also transmit† a Copy of the Despatch which, by His Majesty's Command, I have addressed to Mr. Bligh, in reply to the Russian Note.

Your Excellency will communicate these Papers to the French Government.

I am, &c.,

The Right Hon. Earl Granville, G.C.B.,
&c. &c. &c.

(Signed) PALMERSTON.

* See No. 103.

† See No. 104.

The Duke of Wellington to Earl Granville.

MY LORD,

Foreign Office, 29th December, 1834.

I HEREWITH transmit to your Excellency, for your information, and for communication to the Government of His Majesty the King of the French, the Copies of 2 Despatches,* and of their Enclosures, which have been received from Sir Charles Richard Vaughan, His Majesty's Envoy to the United States of America, containing the Answer of the Government of the United States to the proposal made to them to accede to the Conventions recently concluded between this Country and France for the more effectual suppression of the African Slave Trade.

You will perceive that the United States' Government have expressed themselves decidedly adverse to acceding to these Conventions under any modifications of them which can be suggested.

I am, &c.,

(Signed)

WELLINGTON.

The Right Hon. Earl Granville, G.C.B.,
&c. &c. &c.

* See Nos. 127 and 128.

DENMARK.

No. 78.

Viscount Palmerston to Sir H. W. W. Wynn.

SIR,

Foreign Office, 10th May, 1834.

Hrs Majesty's Government have had under consideration the Proposition for mutually restoring British and Danish fugitive slaves.

Hrs Majesty's Government admit the force of the Observations made on this subject by the Minister of Denmark. In order, however, to meet the wishes of the Danish Government, as expressed in Mr. Krabbe's Note, it would be necessary that a change should be made in the existing Laws of this Country, because the Executive Government of England has not, at present, any power to deliver up a slave in any English Colony, in order that such slave may be conveyed away from that Colony, and restored to his former Master.

Whilst slavery was legally recognised in the British West India Colonies, a Law granting such power might perhaps have been proposed with success; but, after the Enactments which the Legislature has recently passed on the subject of slavery, it cannot be expected that Parliament would consent to the Proposition.

Parliament would not for an instant listen to a Proposal that Foreign slaves, who had found their way to Great Britain, should be delivered up to their former Masters.

But when the Measure of Emancipation now actually in progress shall have been carried into full effect, there will, with respect to slavery, be no difference between these Colonies and the Mother Country.

It would, therefore, be as fruitless to propose to Parliament a delivering up of slaves in the Colonies as in Great Britain.

Under these circumstances, His Majesty's Government feel that they cannot properly enter into negotiation for the arrangement, which is urged by the Danish Minister, on this subject; and I have to direct you to make a communication to the Danish Government to that effect.

I am, &c.,

(Signed)

PALMERSTON.

Sir H. W. W. Wynn,
 &c. &c. &c.

No. 79.

Sir H. W. W. Wynn to Viscount Palmerston.—(Received May 30.)

MY LORD,

Copenhagen, 25th May, 1834.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, of the 10th instant, informing me of the impossibility of acceding to the Proposition made by this Government, for the mutual delivery of fugitive slaves in the British and Danish West India Islands. I have now the honour of enclosing a Copy of a Note, which I have drawn up according to the tenor of your Lordship's Despatch. When I delivered it to Monsieur de Krabbe he informed me that this Government, aware of the impediment which the new Acts of the Legislature would throw in the way of any such arrangement, had given orders, which had already been acted on by the Governor, not to give refuge to any fugitive slaves from the British Islands, but to send them back immediately, as, being in general of bad character, their presence only tended to promote crime and discontent among the Danish slaves.

I have, &c.,

(Signed)

H. W. WILLIAMS WYNN.

The Right Hon. Viscount Palmerston, G.C.B.,
 &c. &c. &c.

(B.)

I

Enclosure in No. 79.

*Sir H. W. W. Wynn to the Danish Minister for Foreign Affairs.**Copenhagen, 21st May, 1834.*

THE Undersigned, &c., has been instructed by His Majesty's Government, to inform Monsieur de Krabbe, &c., that they have had under their consideration the Proposition for mutually restoring British and Danish slaves.

His Majesty's Government admit the force of the Observations made on this subject. In order, however, to meet the wishes of the Danish Government, as expressed in Monsieur de Krabbe's Note, it would be necessary that a change should be made in the existing Laws of the Country, because the Executive Government of England has not at present any power to deliver up a slave in any English Colony, in order that such slave may be conveyed away from that Colony, and restored to his former Master. Whilst slavery was legally recognised in the British West India Colonies, a Law granting such power might perhaps have been proposed with success; but, after such Enactments as the Legislature has recently passed on the subject of Slavery, it cannot be expected that Parliament would consent to the Proposition; and when the Measure of Emancipation now actually in progress shall have been carried into effect, there will, with respect to slavery, be no difference between the Colonies and the Mother Country. It would, therefore, be as fruitless to propose to Parliament a delivering up of the slaves in the Colonies as in Great Britain.

Under these circumstances, His Majesty's Government feel that they cannot properly enter into negotiation for the arrangement proposed by Monsieur de Krabbe.

The Undersigned, &c.,

(Signed)

H. W. W. WYNN.

His Excellency M. de Krabbe,
 &c. &c. &c.

No. 80.

Sir H. W. W. Wynn to Viscount Palmerston.—(Received August 4.)

(Extract.)

Copenhagen, 27th July, 1834.

I HAVE the honour to transmit a Copy of the Treaty of Accession of the King of Denmark to the Conventions between Great Britain and France, on Slave Trade.

(Signed)

H. W. WILLIAMS WYNN.

The Right Hon. Viscount Palmerston, G.C.B.,
 &c. &c. &c.

SARDINIA.

No. 81.

Sir Augustus Foster to Viscount Palmerston.—(Received August 27.)

(Extract.)

Turin, 11th August, 1834.

It is with great satisfaction that I now have the honour of transmitting to your Lordship the Treaty of Accession of His Sardinian Majesty to the recent Conventions between Great Britain and France, for the suppression of the Slave Trade; the said Treaty having been signed, on the 8th instant, in triplicate, by the Count de la Tour, the French Ambassador, and myself.

(Signed)

AUGUSTUS FOSTER.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 82.

The Hon. H. E. Fox to the Duke of Wellington.—(Received December 19.)

(Extract.)

Turin, 8th December, 1834.

I HAVE the honour to inform your Grace that the Ratifications of the Slave Trade Treaty were this day exchanged, and at the same time the Additional Article to the Treaty was signed by M. de Barante, Count de la Tour, and myself, together with the Protocol preceding it.

(Signed)

HENRY EDWARD FOX.

His Grace the Duke of Wellington, K.G.,

&c.

&c.

&c.

AUSTRIA.

No. 83.

Viscount Palmerston to Sir Frederick Lamb.

SIR,

Foreign Office, 18th February, 1834.

I HEREWITH transmit to your Excellency the Copies of a Convention which was concluded on the 30th of November, 1831, and of a Supplementary Convention, which was concluded on the 22d of March, 1833, between His Majesty and the King of the French, for the more effectual suppression of the Traffic in Slaves.

By the 9th Article of the first-mentioned Convention, the Contracting Parties agree to invite the accession of the other Maritime Powers; and I, accordingly, send to you the Draft of a Note which, in concert with the French Minister at Vienna, your Excellency will present to the Austrian Secretary of State for Foreign Affairs, for the purpose of inviting the Government of the Emperor of Austria to accede to the above-mentioned Conventions. His Majesty's Government, and the Government of the King of the French, are aware that, by the Declaration, at the Congress of Vienna, of the 8th of February, 1815, the Government of Austria proclaimed, in the face of Europe, its wish to put an end to the Slave Trade, which was designated, in that Document, as a scourge which had long desolated Africa, degraded Europe, and afflicted humanity; and the Declaration further states, that no proper means of securing the attainment, and of accelerating the progress, of the object desired should be rejected, and that the Engagement contracted in that Declaration, between the Sovereigns who were parties to it, could not be considered as completely fulfilled until the period of the universal abolition of the Traffic in Slaves.

The Governments of Great Britain and France, therefore, confidently hope that the answer which will be returned to this Communication will announce the readiness of the Emperor of Austria to accede to the Conventions in question.

I am, &c.,

(Signed)

PALMERSTON.

His Excellency Sir Frederick Lamb, G.C.B.,
&c. &c. &c.

Enclosure in No. 83.

Note to be presented to the Austrian Government.

THE Undersigned, &c., has received orders from his Court to make the following Communications to, &c.

Two Conventions, one of them Principal, the other Supplementary, both of which have for their object the more effectual suppression of the Slave Trade, were concluded,—the one on the 30th of November, 1831, and the other on the 22d of March, 1833,—between His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French.

By Article 9 of the Principal Convention, the 2 High Contracting Parties stipulated that they would, in concert, invite the accession of the other Maritime Powers, within as short a period as possible.

In consequence of this Stipulation, the Undersigned has been directed to transmit, for the information of the accompanying Copies of the 2 Conventions above mentioned, as well as of the several Documents annexed to them, and to invite His (Imperial) Majesty, in the name of His Majesty the King of the United Kingdom of Great Britain and Ireland, to accord his accession thereto, by the execution of a formal Treaty to that effect with the Contracting Parties to the original Conventions.

No. 84.

Sir Frederick Lamb to Viscount Palmerston.—(Received March 15.)

MY LORD,

Vienna, 4th March, 1834.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 18th ultimo. As the French Ambassador has not yet received any

Instructions upon the subject from his Government, I shall defer the execution of your Lordship's orders until they arrive.

I have, &c.,

(Signed)

F. LAMB.

The Right Honourable Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 85.

Sir Frederick Lamb to Viscount Palmerston.—(Received May 21.)

MY LORD,

Vienna, 9th May, 1834.

IN obedience to your Lordship's Despatch of the 18th ultimo, I presented, on the 7th instant, the Note enclosed in that Despatch. The French Ambassador, having received orders to act in conjunction with me, presented, at the same time, a Note which had been transmitted to him for that purpose.

I enclose a Copy of it, with which he has had the goodness to furnish me, and have given him a Copy of mine, for communication to his Government.

I have, &c.,

(Signed)

F. LAMB.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 85.

The French Ambassador at Vienna to the Austrian Minister for Foreign Affairs.

Le Soussigné, &c., &c., &c., a reçu de son Gouvernement l'ordre d'adresser à Son Altesse le Prince de Metternich, &c., &c., &c., la Communication suivante :

Deux Conventions, l'une Principale, l'autre Supplémentaire, ont été conclues le 30 Novembre, 1831, et le 22 Mars, 1833, entre Sa Majesté le Roi des François, et Sa Majesté le Roi du Royaume Uni de la Grande-Bretagne et Irlande, dans le but de rendre plus efficace la répression de la Traite des Noirs. Par l'Article 9 de la Convention Principale, les 2 Hautes Parties Contractantes ont stipulé qu'elle inviteroient de concert les autres Puissances Maritimes à y accéder dans le plus bref délai possible.

En conséquence de cette Stipulation, le Soussigné a été chargé de porter à la connoissance du Gouvernement de Sa Majesté l'Empereur d'Autriche le Texte des 2 Conventions susdites, ainsi que de leurs Annexes, et de l'inviter, au nom de Sa Majesté le Roi des François, à vouloir bien y accéder en concluant à cet effet un Traité formel avec les Parties Contractantes des Conventions ci-jointes.

Le Soussigné, &c.,

(Signé)

STE. AULAIRE.

Son Altesse Monsieur le Prince de Metternich,

&c.

&c.

&c.

(Translation.)

THE Undersigned, &c., &c., &c., has been directed by his Government to address to His Highness Prince Metternich, &c., &c., &c., the following Communication :

Two Conventions, the one Principal, and the other Supplementary were concluded on the 30th November, 1831, and the 22d March, 1833, between His Majesty the King of the French, and His Majesty the King of the United Kingdom of Great Britain and Ireland, with the view of rendering the repression of the Slave Trade more efficacious.

By Article 9 of the Principal Convention, the 2 High Contracting Parties have stipulated, by concert, to request the other Maritime Powers to accede thereto as speedily as possible.

In consequence of this Stipulation, the Undersigned has been directed to communicate to the Government of His Majesty the Emperor of Austria the contents of the above 2 Conventions, as well as of their Annexes, and to request it, in the name of His Majesty the King of the French, to be pleased to accede thereto, by concluding to that effect a formal Treaty with the Contracting Parties to the enclosed Conventions.

The Undersigned, &c.,

(Signed)

STE AULAIRE.

His Highness Prince Metternich,

&c.

&c.

&c.

No. 86.

Viscount Palmerston to Sir Frederick Lamb.

SIR,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to your Excellency, for your information, a Copy of Papers, marked A. and B., relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.,

(Signed)

PALMERSTON.

His Excellency Sir Frederick Lamb, G.C.B.,

&c.

&c.

&c.

PRUSSIA.

No. 87.

Viscount Palmerston to Earl Minto.

Foreign Office, 18th February, 1834.

(AN Instruction similar to that sent to Mr. F. Lamb, of the same date.—See No 83.)

No. 88.

Viscount Palmerston to Earl Minto.

MY LORD,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to your Lordship, for your information, a Copy of Papers marked A. and B., relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.,
(Signed) PALMERSTON:

The Right Hon. Earl Minto,
 &c. &c. &c.

No. 89.

Earl Minto to Viscount Palmerston.—(Received August 11.)

MY LORD,

Berlin, 6th August, 1834.

I YESTERDAY sent Monsieur Ancillon a Note, of which the Draft had reached me in your Lordship's Despatch of the 18th February last, requesting the adhesion of the Prussian Government to the Treaties concluded between the Governments of England and France, for the suppression of the Slave Trade. It is necessary that I should explain to your Lordship that the delay in executing your Instructions on this subject has arisen solely from the want of similar Instructions from the French Government to its Minister here, and which have only very recently reached Monsieur Bresson.

I have not been able to see Monsieur Ancillon to-day, but I hope next post to be able to state to your Lordship that the Prussian Government has acceded to the Treaties.

I have, &c.,
(Signed) MINTO.

The Right Hon. Viscount Palmerston, G.C.B.,
 &c. &c. &c.

No. 90.

Earl Minto to Viscount Palmerston.—(Received August 19.)

MY LORD,

Berlin, 13th August, 1834.

THERE is likely to be more difficulty than I had anticipated in obtaining the accession of this Government to our Conventions with France for the suppression of the Slave Trade.

M. Ancillon, indeed, does not deny the obligation which his Government had contracted to employ its best efforts for the extinction of this Trade, and he professes to participate in all our anxiety for the attainment of that object: but he says that the Prussian Flag never has been, and never can be, employed to cover the Traffic in Slaves; that Prussia has but little commerce with Countries within the limits to which these Conventions are applicable; and that what she has is exclusively carried on in ships of the Maritime Company, and of the Company

of Elberfeldt, both sufficiently under the control of the Government to render their participation in the Slave Trade impossible. Such being the case, the accession of Prussia to our Conventions would, he says, be a gratuitous concession of the principle of the right of search where no opportunity of exercising it could occur, and from which, consequently, no benefit could accrue.

I observed that, if the Prussian flag had not hitherto appeared in the Slave Trade, it was because those who were engaged in the traffic could navigate securely under other colours; but that, when protection was withdrawn from them in one quarter, they would seek it in another, and that the general concurrence of all Maritime States was therefore necessary to give effect to our exertions in this cause. It might be true, I said, that not a single Prussian ship would be actually subjected to search under the provisions of these Conventions, which might thus appear to be nugatory as regarded his Government, but that, in appreciating the importance of the measure, he must consider what would be the consequence of inviting the Slave Trader, by the rejection of our proposal, to take refuge under the Prussian flag. The registry, to which foreign-built ships are admitted in the ports of Prussia, and the absence of a national navy, whose cruizers might have been troublesome, were, I observed, in themselves, circumstances presenting peculiar facilities for carrying on the Slave Trade, which were not likely to be overlooked by those who were engaged in it; and, if to this were added the assurance of immunity from all molestation by the ships of war of other Nations, the Slave Trader, under the protection of the Prussian colours, might continue to elude the vigilance of the French and British Navies.

As M. Ancillon himself admitted that no practical inconvenience could result from his accession to our Conventions, I expressed my earnest hope that he would give this proposal a more favourable attention than it had yet obtained from him. He promised that it should be submitted to the serious consideration of the Government, and that no Answer should be returned to my Note till he had an opportunity of conversing further with me upon the subject.

I have, &c.,

(Signed)

MINTO.

The Right Hon. Viscount Palmerston, G.C.B.,
 &c. &c. &c.

No. 91.

Earl Minto to Viscount Palmerston.—(Received Sept. 2.)

MY LORD,

Berlin, 27th August, 1834.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 8th ultimo, enclosing Papers A. and B.

I have, &c.,

(Signed)

MINTO.

The Right Hon. Viscount Palmerston, G.C.B.,
 &c. &c. &c.

No. 92.

Viscount Palmerston to Earl Minto.

MY LORD,

Foreign Office, 8th September, 1834.

I HAVE received your Lordship's Despatch, of the 13th of August, 1834, on the subject of the proposed accession of His Prussian Majesty to the recent Conventions between Great Britain and France, relative to Slave Trade.

I observe that the Prussian Government admits its obligation to employ its best efforts for the extinction of the trade, and professes to participate in our anxiety for the attainment of the object; but M. Ancillon declines to accede to the Conventions in question, contending that the Prussian flag has never yet been employed to cover the traffic in Slaves, and never can be so employed in future; that Prussia has but little commerce with Countries within the limits to which these Conventions are applicable; and that what she has is carried on exclusively in ships of the Maritime Company, and of the Company of Elberfeldt, both sufficiently under the control of the Government to render their partici-

pation in the Slave Trade impossible. Such being the case, M. Ancillon contends that the accession of Prussia to these Conventions would be a gratuitous concession, on her part, of the principle of the right of search, where no opportunity of exercising that right by Prussian ships of war would ever occur; and that Prussia could, therefore, derive no benefit whatever from such a concession.

Notwithstanding these objections, your Lordship is instructed to renew your application for the formal accession of Prussia to these Conventions; for I feel persuaded that the Prussian Government will, on further consideration, be disposed to admit that their arguments are less conclusive than they may at first have imagined them to be, and will see that their objections may easily be obviated by reservations in the Treaty of Accession.

In discussing the subject with the Prussian Government, you will state that although the commercial navy of His Prussian Majesty may not much frequent the seas in which the Slave Trade is carried on, and may never have engaged in that Trade, and may be so completely under the control of the Government as to preclude the possibility of its being so engaged, yet if His Prussian Majesty should not accede to these Treaties, ships of other Countries may fraudulently assume the flag of Prussia, in order to protect themselves from search and hinderance in their traffic; and thus, in a matter in which Prussian subjects have no interest, the flag of Prussia might be prostituted by strangers to purposes abhorrent to the benevolent sentiments of His Prussian Majesty.

You will further remark, that the concession of the right of search would be mutual between Prussia, Great Britain, and France; would stand upon specific Convention; and would be limited, in the case of each Nation, to vessels met with under circumstances which may give just cause of suspecting that they are employed in Slave Trade.

His Prussian Majesty, therefore, without any inconvenience to his own subjects, or any interference with their interests, and without infringing upon any international principles, would, by acceding to these Conventions, be enabled to afford to the World an additional and honourable proof of those enlightened and humane sentiments by which His Prussian Majesty is so well known to be animated; and would, at the same time, have the satisfaction of giving to England and France a most important aid in accomplishing the benevolent objects which those Powers have in view.

You will add, that the enclosed Draft of Treaty has been prepared with a view to meet the peculiar feelings and position of His Prussian Majesty with regard to all the above points; and you will express the confident hope of His Majesty's Government that the enclosed Draft may meet with the concurrence of the Prussian Government.

I am, &c.,
(Signed) PALMERSTON.

The Right Hon. Earl Minto,
 &c. &c. &c.

No. 93.

Viscount Palmerston to Earl Minto.

MY LORD,

Foreign Office, 15th September, 1834.

WITH reference to my previous Despatches to your Lordship on the subject of the proposed Treaty of Accession of the King of Prussia to the recent Conventions between Great Britain and France on Slave Trade, I herewith furnish your Lordship with the forms, in English, of the Warrants, Instructions, and Signals, to be used by the Commanders of the cruisers, English and Prussian, respectively, acting under the Treaty of Accession referred to.

I am, &c.,
(Signed) PALMERSTON.

The Right Hon. Earl Minto,
 &c. &c. &c.

No. 94.

Earl Minto to Viscount Palmerston.—(Received September 30.)

MY LORD,

Berlin, 24th September, 1834.

I HAVE communicated to M. Ancillon your Lordship's Despatches of the 8th and 15th instant, and His Excellency admits that the modifications which it

is proposed to introduce into the Treaty, may have the effect of meeting some of his objections. He had previously suggested that we might perhaps be satisfied with an Engagement to furnish His Majesty's Government with a List and Description of any Ships fitting out in the Ports of Prussia, to trade within the limits to which the Treaty proposed by us was applicable. The means of distinguishing these ships, for whose pursuits the Prussian Government rendered itself responsible, could, he said, easily be afforded to us, and that, whilst these were respected by our cruisers, we might securely deal as we please with all others who assumed the Prussian colours, and who could only be pirates.

After pointing out to M. Ancillon the various objections to such an expedient which present themselves at first sight, I observed that his proposals implied concessions, on the part of Prussia, much beyond any thing that we had sought, and such as, I was sure, it was impossible he could contemplate; that it went to authorize a British cruiser to examine and detain every Prussian ship which might be found in certain latitudes, with the exception of such as might have sailed last from a Prussian Port, and this without a reciprocal concession on our side. His Excellency appeared to feel the force of this objection, which had not occurred to him, and undertook to communicate the Draft of the Treaty and of the Instructions, which I left in his hands, to the Minister of Finance and Commerce, from whom a Report has been required before the Government takes any steps in this affair.

After I had made him more distinctly understand the object and provisions of our Treaty, His Excellency expressed his conviction that we should have no difficulty in coming to a satisfactory arrangement; but no direct assurance or opinion can be obtained from him before the Report of the Minister of Finance is received.

I have, &c.,

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

(Signed)

MINTO.

No. 95.

Mr. Abercrombie to Viscount Palmerston.—(Received October 23.)

MY LORD,

Berlin, 13th October, 1834.

I HAD this morning an opportunity of asking M. Ancillon what progress had been made in drawing up the answer of the Prussian Government to the Convention which Lord Minto had proposed by order of your Lordship.

His Excellency informed me, that the Report which he had expected to receive from the Ministers, his colleagues, had not yet reached him, but that it could not be much longer retarded: M. Ancillon then said, that he had heard that the Russian Government, in answer to the same proposal on the part of His Majesty's Government, had expressed a wish that Conferences should be opened in London upon the subject, in which the Plenipotentiaries of the Powers interested might take part.

His Excellency M. Ancillon, however, did not appear to be willing to adopt the proposal of the Russian Cabinet, and added, that he did not conceive that such a course would tend to a more speedy arrangement of the object so anxiously desired by His Majesty's Government.

I have, &c.,

(Signed)

R. ABERCROMBIE.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 96.

Viscount Palmerston to Mr. Abercrombie.

SIR,

Foreign Office, 27th October, 1834.

I HAVE received your Despatch of the 13th instant, in which you mention that M. Ancillon had alluded to the proposal which had been made by the Russian Government, that Conferences should be opened in London for the

(B.)

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purpose of seeking out the most effectual means of preventing the Slave Trade, and of punishing those who engage in that traffic.

His Majesty's Government have declined this proposition; and I transmit to you the Copy of the Despatch,* which, by His Majesty's Command, I addressed to Mr. Bligh, in reply to the Russian Note upon this subject.

You are at liberty to read that Despatch to Mr. Ancillon.

R. Abercrombie, Esq.
&c. &c. &c.

I am, &c.,
(Signed)

PALMERSTON.

* See No. 104.

No. 97.

Mr. Abercrombie to Viscount Palmerston.—(Received November 11.)

MY LORD,

Berlin, 4th November, 1834.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, of the 27th ultimo, together with its Enclosure.

I this morning communicated to His Excellency, Monsieur Ancillon, your Lordship's Despatch to Mr. Bligh, in answer to the Note of Count Nesselrode; and His Excellency having requested me to leave it with him, that he might read it more attentively, I complied with his desire.

His Excellency stated to me that the loss of M. de Maassen, Minister of Finance, whose decease took place on Sunday last, will retard for a short time his official answer to the propositions of His Majesty's Government, but that he thought an arrangement could be made which would satisfy all parties, by the adoption of an expedient which His Excellency had already mentioned to Lord Minto,—that British Commanders on certain Stations should be furnished by the Prussian Government with authority to search, in the name of the Prussian Government, such Prussian vessels as were suspected of being engaged in this cruel and revolting traffic.

I have, &c.,
(Signed)

R. ABERCROMBIE.

The Right Hon. Viscount Palmerston, G.C.B.
&c. &c. &c.

RUSSIA.

No. 98.

*Viscount Palmerston to the Hon. J. D. Bligh.**Foreign Office, 18th Feb. 1834.*

(A SIMILAR Instruction to that sent to Sir F. Lamb on the same day.—
See No. 83.)

No. 99.

The Hon. J. D. Bligh to Viscount Palmerston.—(Received May 26.)

MY LORD,

St. Petersburg, 14th May, 1834.

I FORWARDED to Count Nesselrode 3 days ago, as instructed in your Lordship's Despatch of February 18, the Note of which I have the honour to enclose a Copy. At a subsequent interview, I pointed out to His Excellency the reasons why the Russian Government, as clearly explained in that Despatch, should not be backward amongst the Maritime Powers in acceding to this invitation of His Majesty's Government, to agree to measures which can alone effect the annihilation of a Traffic so disgraceful to humanity.

Count Nesselrode replied that it was a question in which Russia, from the circumstances of her position, was little interested, but that, before he could give any answer to the proposal of His Majesty's Government, he must refer to what had passed on this subject at the Congresses of Vienna and Aix-la-Chapelle.

The French Ambassador, who presented to Count Nesselrode, at the same time, a Note, conceived in the same sense as the enclosed, did not receive authority to move in this business until a few days ago; and, as I was instructed to act in concert with him, I was prevented from fulfilling sooner your Lordship's wishes.

I have, &c.,

(Signed)

J. D. BLIGH.

The Right Hon. Viscount Palmerston, G.C.B.

&c.

&c.

&c.

Enclosure in No. 99.

*Mr. Bligh to the Russian Minister for Foreign Affairs.**St. Petersburg, 10th May, 1834.*

THE Undersigned, &c., has received orders from his Court to make the following Communication to His Excellency the Vice Chancellor Count Nesselrode :

Two Conventions, one of them Principal, the other Supplementary, both of which have for their object the more effectual suppression of the Slave Trade, were concluded, the one on the 30th of November, 1831, and the other on the 22d of March, 1833, between His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French.

By Article 9 of the Principal Convention, the two High Contracting Parties stipulated that they would, in concert, invite the accession of the other Maritime Powers within as short a period as possible.

In consequence of this stipulation, the Undersigned has been directed to transmit, for the information of His Excellency the Vice Chancellor Count Nesselrode, the accompanying Copies of the 2 Conventions above mentioned, as well as of the several Documents annexed to them, and to invite His Imperial Majesty, in the name of His Majesty the King of the United Kingdom of Great Britain and Ireland, to accord his accession thereto by the execution of a formal Treaty to that effect with the Contracting Parties to the original Conventions.

The Undersigned seizes, &c., &c.

(Signed)

J. D. BLIGH.

His Excellency Count Nesselrode,

&c.

&c.

&c.

No. 100.

Viscount Palmerston to the Hon. J. D. Bligh.

SIR,

Foreign Office, 6th June, 1834.

I HAVE received, and laid before the King, your Despatch of the 14th instant, reporting that you had, in compliance with Instructions from me, addressed a proposal to the Russian Government, for their accession to the recent Conventions between Great Britain and France, for the more effectual suppression of the Slave Trade.

I regret to find, from your Despatch, that Count Nesselrode has expressed an opinion that Russia is but little interested in this question; but I have no doubt that, when he has made the reference, which he announced to you his intention of making, to what passed at the Congresses of Vienna and Aix-la-Chapelle upon this subject, he will admit that the sentiments then expressed on the part of Russia were by no means in unison with those which he seems now to entertain.

If, however, the Russian Government should, on the ground stated by Count Nesselrode, make a difficulty in acquiescing in the proposal, you will be careful to point out to that Minister, that, though Russia may not, at first sight, appear to have any direct interest in this matter, yet, if she does not accede, her flag may be assumed by persons engaged in this disgraceful traffic, and the protection of that flag may thus be prostituted to bad purposes in a way that cannot be conducive to her honour as a great Power.

You will urge, therefore, upon Count Nesselrode, that, as a point of honour, and even setting aside those principles of humanity which, in the reign of the Emperor Alexander, so strongly influenced the policy of the Imperial Cabinet on this subject, Russia has a sufficient interest in this matter to lead her to accede to these Conventions.

I am, &c.,

The Hon J. D. Bligh,
&c. &c. &c.

(Signed)

PALMERSTON.

No. 101.

Viscount Palmerston to the Hon. J. D. Bligh.

SIR,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to you, for your information, a Copy of Papers, marked A and B, relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.,

The Hon. J. D. Bligh,
&c. &c. &c.

(Signed)

PALMERSTON.

No. 102.

The Hon. J. D. Bligh to Viscount Palmerston.—(Received September 15.)

MY LORD,

St. Petersburg, 3d September, 1834.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatches of the 6th June and 8th July, 1834; the latter enclosing Papers presented to Parliament.

I am still without any reply to the Note to Count Nesselrode, by which, as instructed by your Lordship, I invited the Russian Government to accede to the Conventions concluded on the 30th November, 1831, and 22d March, 1833, between His Majesty and the King of the French, for the more effectual suppression of the Traffic in Slaves; but Count Nesselrode has, on more than one occasion, told me that the Answer to be returned to that invitation was under consideration, and he lately promised me that it would not be delayed above a few days.

In my conversations with His Excellency on the subject, I have not failed to urge the reasons adduced in your Lordship's Despatch, of the 6th June, why His Majesty's Government have grounds for expecting that the decision of the Russian Government in this matter will be in accordance with their wishes.

I have, &c.,

(Signed)

J. D. BLIGH.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

No. 103.

The Hon. J. D. Bligh to Viscount Palmerston. (Received September 19.)

MY LORD,

St. Petersburg, 10th September, 1834.

I HAVE the honour to enclose the Copy of a Note from Count Nesselrode, in answer to mine of the 11th May, inviting the Russian Government to adhere to the Conventions, concluded between His Majesty's and the French Government, for the more effectual suppression of the Slave Trade, by which your Lordship will see that the efficacy of the measures agreed upon in those Conventions is fully admitted, an undiminished desire to contribute to the end proposed is assumed on the part of the Russian Government, and a readiness expressed to allow a mutual right of search in furtherance of that end, but that they decline being Parties to any Convention of that nature without a renewal of Negotiations on the subject, in concert with the Austrian, French, British, and Prussian Governments, which Count Nesselrode declares the willingness of the Emperor to enter upon without delay.

I have given Count Nesselrode a verbal acknowledgment of this Note, without at all commenting upon it.

I have, &c.,

(Signed)

J. D. BLIGH.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 103.

*The Russian Minister for Foreign Affairs to Mr. Bligh.**St. Petersburg, le 27 Août, 1834.*

Le Soussigné a porté à la Connaissance de l'Empereur la Note que Monsieur Bligh, Ministre Plénipotentiaire de Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, lui a fait l'honneur de lui adresser le ^{29 Avril} ^{11 Mai}, ainsi que les 2 Conventions qui s'y trouvaient annexées, et qui ont été conclues, l'une le 30 Novembre, 1831, l'autre le 22 Mars, 1833, entre Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande et sa Majesté le Roi des Français, dans le but de rendre plus efficace la répression de la Traite des Noirs.

Une Communication absolument semblable a été adressée au Cabinet Impérial, au nom et de la part de Sa Majesté le Roi des Français.

L'une et l'autre sont accompagnées de la proposition d'accéder aux 2 Conventions susdites et de réaliser cette accession au moyen d'un Traité formel.

Cette ouverture a été examinée par Sa Majesté Impériale avec une sérieuse attention et ce juste intérêt que le Cabinet de Russie a pris de tout temps aux délibérations et aux mesures qui avaient pour but l'abolition définitive et générale de la Traite des Nègres.

Sa Majesté Impériale ne saurait oublier, et les Cabinets Anglais et Français se rappelleront, sans doute, la vive sollicitude et la co-opération loyale que l'Empereur Alexandre de glorieuse mémoire vouait à cet objet important. Partageant à cet égard les sentimens de Son Auguste Prédécesseur, Sa Majesté n'a cessé de former elle-même des vœux pour que les Puissances qui sont le plus directement intéressées à l'extinction du Trafic des Noirs, et qui disposent seules des moyens de le faire cesser entièrement, puissent enfin tomber d'accord entre elles sur un système de répression efficace. C'est dans cet esprit que l'Empereur a examiné d'une part la proposition qui vient de lui être faite par les 2 Cours d'Angleterre et de France, et que de l'autre il s'est rendu compte à lui-même des engagements que son Cabinet a contractés à l'égard d'une question qui a fait pendant de si longues années l'objet des délibérations des 5 Grandes Puissances.

Et d'abord, Sa Majesté se plaît à féliciter les 2 Cabinets de Londres et de Paris de s'être réunis dans l'adoption de mesure de répression commune, que les Plénipotentiaires de Sa Majesté Britannique aux Congrès d'Aix-la-Chapelle et de Vérone représentèrent dès lors comme la seule efficace pour faire cesser le Trafic des Noirs.

Il semble, en effet, que par l'adhésion de la France au système de visite réciproque, un résultat important a été obtenu dans l'intérêt d'une cause à laquelle le Cabinet Britannique a voué de si nobles et de si constants efforts. Pour compléter ce système, les Parties Contractantes sont convenues de lui obtenir l'accession des autres Puissances Maritimes. Celle des Etats dont les bâtimens marchands couvrent l'Océan Atlantique paraît effectivement nécessaire, si l'on ne veut que la cupidité qui ne recule devant aucun moyen, quelque coupable qu'il soit d'ailleurs, rende illusoirs les mesures les mieux combinées.

Dans les négociations antérieures, le Cabinet Impérial a toujours exprimé cette conviction. Quant à lui-même, il ne saurait se dissimuler sans doute que la Russie ne peut avoir à cette question d'autre intérêt que celui qu'inspirent des sentimens de morale et d'humanité. Jamais son pavillon n'a servi, ni ne saurait même dans l'état actuel de son commerce maritime, servir à des entreprises du genre de celles qu'il s'agit de réprimer. Il n'est donc guère à prévoir que l'application du droit de visite réciproque puisse jamais atteindre un navire Russe, ou que le Gouvernement soit dans le cas de sévir contre un de ses sujets pour contravention aux lois sur la traite. D'un autre côté, la position géographique de la Russie ne lui permet pas d'entretenir des stations navales permanentes dans les parages où se poursuit la Traite des Nègres; et, d'ailleurs, l'exécution de la mesure sur laquelle l'Angleterre et la France sont tombées d'accord entre elles, n'a pas besoin, pour atteindre son but, de sa coopération active et immédiate.

Néanmoins, Sa Majesté Impériale, fidèle à la ligne de conduite suivie par Son Auguste Prédécesseur, consent à ne pas rester en dehors d'une combinaison qu'il n'a pas dépendu du Cabinet Impérial de

voir réaliser plutôt. Le Soussigné est, en conséquence, autorisé à annoncer à Monsieur Bligh, que l'Empereur, son Maître, à la suite de l'invitation amicale qui vient de lui être faite, est disposé à reprendre, conformément au mode suivi antérieurement, le fil des négociations relatives à l'abolition de la Traite des Nègres; que comme, en vertu de l'Article Additionnel au Traité du 8^e Novembre, 1815, ainsi que des Protocoles d'Aix-la-Chapelle et de Vérone, le siège de ces négociations s'est trouvé établi à Londres, Sa Majesté propose de les y ouvrir de nouveau avec le concours des Cabinets d'Autriche et de Prusse, et dans le but d'une entente commune entre les 5 Puissances signataires de ces transactions; que, quant au principal objet de ces délibérations, clairement défini dans la déclaration signée à Vérone, le 28 Novembre, 1822, ce serait *la recherche des moyens les plus efficaces pour prévenir le Trafic des Noirs, et pour punir rigoureusement ceux qui le poursuivent en contravention manifeste aux lois qui l'ont déjà pros crit, et l'examen de toute mesure compatible avec les droits des Cabinets respectifs et avec les intérêts de leurs sujets, à l'effet d'amener un résultat constatant aux yeux du monde la sincérité de leurs vœux en faveur d'une cause digne de leur sollicitude commune*; que, sous ce rapport l'Empereur n'hésite point à déclarer dès à présent qu'il est prêt, pour sa part, d'adhérer en principe, et pour un espace de temps à déterminer, au système de surveillance maritime, déjà convenu entre l'Angleterre et la France, et dont un droit de visite réciproque, mais limité, forme la base; que, sans pouvoir prendre aucun engagement quant à une co-opération active de la Russie à ce système de surveillance maritime, Sa Majesté Impériale se réserverait expressément à cet égard une entière réciprocité de droits et de concessions; enfin, pour ce qui concerne plus particulièrement l'application de ce système à la situation de la Russie, et les stipulations de détail qu'il s'agirait d'arrêter d'un commun accord, à l'effet d'assurer à cette nouvelle combinaison ce caractère de juste réciprocité qui doit former la base de toute transaction entre Gouvernemens, comme elle en fait la plus sûre garantie, le Cabinet Impérial attendra avec intérêt les propositions ultérieures que les 2 Cabinets de Londres et de Paris voudront bien lui faire parvenir.

Le Soussigné, en s'acquittant des ordres de son Souverain, par cette communication, qui est également adressée à M. l'Ambassadeur de France, prie Monsieur Bligh de vouloir bien le porter à la connaissance de sa Cour. Aussitôt que l'Empereur aura été informé de l'acquiescement du Gouvernement de Sa Majesté Britannique et de celui de Sa Majesté le Roi des Français au plan proposé ci-dessus, Sa Majesté Impériale fera tracer à son Représentant à Londres les Instructions, et le munira des pouvoirs nécessaires pour le mettre à même de prendre part aux délibérations.

Le Soussigné, &c.,

(Signé)

NESSELRODE.

A. M. M. Bligh,
&c. &c. &c.

(Translation.)

St. Petersburg, 27th August, 1834.

THE Undersigned has laid before the Emperor the Note which Mr. Bligh, Minister Plenipotentiary of His Majesty the King of the United Kingdom of Great Britain and Ireland, did him the honour to address to him on the 29th April, (11th May,) as well as the 2 Conventions thereto annexed, and which were concluded, the one on the 30th November, 1831, and the other on the 22d of March, 1833, between His Majesty the King of the United Kingdom of Great Britain and Ireland and his Majesty the King of the French, for the purpose of rendering the repression of the Slave Trade more efficacious.

An entirely similar communication has been addressed to the Imperial Cabinet, in the name and on the part of His Majesty the King of the French.

Both communications are accompanied by the proposal to accede to the above 2 Conventions, and to realize this accession by means of a formal Treaty.

This offer has been examined by His Imperial Majesty with serious attention, and with the just interest taken all along by the Russian Cabinet in the deliberations and measures which had the final and general abolition of the Slave Trade for their object.

His Imperial Majesty cannot forget, and the English and French Cabinets will no doubt recollect, the lively solicitude and the cordial co-operation which the Emperor Alexander, of glorious memory, devoted to this important object. Sharing in this respect the sentiments of his august Predecessor, His Majesty has himself uniformly entertained the wish that the Powers most directly interested in the extinction of the Slave Trade, and who alone are in the possession of the means to put entirely an end to it, might at length agree among themselves on some system of effectual repression. In this spirit the Emperor has examined, on the one hand, the proposal made him by the 2 Courts of England and France, and has, on the other, considered the engagements which his Cabinet has contracted in regard to a question which for so many years has been the object of the deliberations of the 5 great Powers.

In the first place, His Majesty is happy to find that the 2 Cabinets of London and Paris have united in adopting the measure of common repression which the Plenipotentiaries of His Britannic Majesty, at the Congresses of Aix-la-Chapelle and Vienna, represented, even then, as the only effectual mode of putting a stop to the Slave Trade.

It certainly appears that, by the approbation given by France to the system of reciprocal search, an important result has been obtained in the interest of a cause to which the British Cabinet has devoted such noble and constant efforts. In order to complete this system, the Contracting Parties have agreed to procure for it the accession of the other Maritime Powers. Those of the States whose merchant ships cover the Atlantic Ocean seem really necessary, unless it be wished that cupidity, which is reckless of any means, however culpable they may be in other respects, should render the best combined measures illusory.

During the former negotiations the Imperial Cabinet always manifested this conviction. As to herself, Russia is fully aware that she cannot have any other interest in this question than that inspired by the sentiments of morality and humanity. Her flag never has been, and in the present state of her maritime commerce never can be, employed in such enterprises as those which it is the question to repress. It is therefore not likely that the application of the right of reciprocal search should ever extend to any Russian ship, or that the Government should have occasion for rigorous measures against any of its subjects on account of having transgressed the laws relative to the Slave Trade. On the other hand, the geographical position of Russia does not permit her to keep up permanent naval stations in the latitudes where the Slave Trade is carried on; and, besides, the execution of the

measure on which England and France have agreed among themselves, needs not, in order to attain its object, her active and immediate co-operation.

Nevertheless His Imperial Majesty, faithful to the line of conduct pursued by his august Predecessor, is willing not to keep aloof from a combination which it has not been the fault of the Imperial Cabinet not to have seen realized earlier. The Undersigned is, therefore, authorized to inform Mr. Bligh that the Emperor, his master, is disposed, in consequence of the friendly invitation addressed to him, to take up, according to the manner pursued formerly, the thread of the negotiations relative to the abolition of the Slave Trade; that as, in virtue of the additional article to the Treaty of 3^d November, 1815, as well as of the Protocols of Aix-la-Chapelle and of Verona, the seat of these negotiations was established at London, His Majesty proposes to open them there again, with the concurrence of the Cabinets of Austria and of Prussia, and with the view of coming to a common understanding between the 5 Powers who signed those transactions; that, as to the principal object of these deliberations, which was clearly defined in the declaration signed at Verona, on the 28th November, 1822, that object would consist in *discovering the most effectual means for preventing the Slave Trade, and for rigorously punishing those who carry it on in open contravention of the laws which have already proscribed it, and in examining every measure compatible with the rights of the respective Cabinets and with the interests of their subjects, to the end of bringing about a result manifesting in the eyes of the world the sincerity of their wishes in favour of a cause deserving their common solicitude*; that, under this point of view, the Emperor hesitates not immediately to declare, that he is ready, on his part, to adhere, in principle, and for a period to be fixed, to the system of maritime surveillance, already agreed upon between England and France, and of which the right of reciprocal, but limited, search, forms the basis; that, without being able to enter into any engagement respecting an active co-operation of Russia towards this system of maritime surveillance, His Imperial Majesty would expressly reserve to himself in this respect an entire reciprocity of rights and concessions; and, finally, as to what concerns more particularly the application of this system to the situation of Russia, and the stipulations in detail which it would be necessary to enter into by concert, in order to insure to this new combination the character of just reciprocity which must form the basis of every agreement between Governments, as it constitutes the surest guarantee of them, the Imperial Cabinet looks forward with interest to the further propositions which the 2 Cabinets of London and Paris will be pleased to communicate to it.

The Undersigned, in complying with the orders of His Sovereign by the present Communication, which is likewise addressed to the Ambassador of France, requests Mr. Bligh to have the goodness to transmit it to his Court. As soon as the Emperor shall have been informed of the acquiescence of the Government of His Britannic Majesty, and of that of His Majesty the King of the French, in the plan proposed above, His Imperial Majesty will order his Representative in London to be furnished with instructions, and provide him with the necessary powers to enable him to take part in the deliberations.

The Honourable Mr. Bligh,
 &c. &c. &c.

The Undersigned, &c.
 (Signed)

NESSELRODE.

No. 104.

Viscount Palmerston to the Hon. J. D. Bligh.

SIR,

Foreign Office, 30th September, 1834.

I HAVE received and laid before the King your Despatch of the 10th instant, enclosing the Copy of a Note from Count Nesselrode, in answer to that which you addressed to him on the 11th of May last, inviting the Emperor of Russia to accede to the Conventions concluded between His Majesty and the King of the French, for the more effectual suppression of the Slave Trade.

You will express to Count Nesselrode the satisfaction with which His Majesty's Government have learnt, by this Note, that the same sentiments of generous humanity which were felt and acted upon by the Emperor Alexander, with respect to this detestable traffic, continue to animate the Councils of the Russian Government; and that His Imperial Majesty, not content with a barren expression of these honourable feelings, is prepared to carry them actively into execution, and to co-operate with Great Britain and France, and with the other Maritime Powers of Europe, in the measures best calculated to extinguish finally and effectually a practice which deserves rather to be called piracy than commerce, and which is so entirely repugnant to the sentiments and principles of His Imperial Majesty.

It is true, as stated by Count Nesselrode, that Russia has no other interest in this matter than that which arises from her sentiments of morality and humanity; that her commercial flag is not likely to be employed in such undertakings as those which we are now striving to prevent; and that her own merchant ships, therefore, can scarcely ever be exposed to the operation of the mutual right of search; it may be true that the geographical position of Russia does not allow her permanently to keep up a naval force in those parts of the world where the Slave Trade is carried on, and that, consequently, her active assistance in the execution of the proposed measures could hardly be afforded.

But all these considerations appear to His Majesty's Government to be so many reasons which ought to induce the Government of Russia to accede, without hesitation, to the Conventions which have now been proposed to her.

If Russian subjects and Russian ships were engaged in carrying on the Slave Trade, or if Russia had Colonies in which slave labour was employed for the cultivation of the soil, the Russian Government might contend,—as many persons in England and France have, at various times contended,—that interests which have grown up under the sanction of the law, however immoral in principle that law may be, ought not to be crushed at once, or without compensation, by the rigid and immediate enforcement of sounder maxims, that some delay ought to be allowed to the parties concerned, in order to enable them to adapt their arrangements to the more enlightened opinions which have now begun to prevail: but the Russian Government is free from the difficulties in this respect which the English and French Governments have had to contend with.

Russia is not called upon to sacrifice, in the remotest degree, any Russian interest to the principles of humanity, and the Russian Government, therefore, is able to give full and entire effect to its benevolent sentiments, without the slightest injury to any class whatever of its subjects. All that Great Britain and France now ask of Russia is to enter into an agreement, by the effect of which pirates, and outlaw adventurers of other Countries, shall be forbidden from fraudulently assuming the Russian flag as a cloak for their own base traffic; shall be deprived of the means of prostituting that flag to purposes abhorrent to the sentiments of the Russian Government; and shall be prevented from casting upon the Russian name dishonour which it does not deserve.

If Russian ships of war are not likely to be sent to stations where this traffic is carried on, still no material inconvenience will arise from this circumstance; for Great Britain and France have means enough of their own to execute the provisions of the Conventions, and thus the Russian Government will have the satisfaction of knowing that, by its accession to the Conventions, it will have afforded to Great Britain and France additional facilities for carrying their humane purposes into effect, while, at the same time, the Russian navy will not be required to take any share in the unwholesome, laborious, and irksome service connected with the suppression of the Slave Trade.

But the Russian Government, while it declares its complete and entire concurrence in the principles upon which the present proposition has been founded, expresses its preference for another method of carrying those principles into effect; and, instead of acceding at once to the Conventions which have been concluded by Great Britain and France, suggests that fresh Negotiations should be opened, either in London or elsewhere, for the purpose of “seeking out the most effectual means of preventing the Slave Trade, and of punishing those who engage in it; and for the purpose of examining what measures could be adopted for this end, compatible with the rights of the respective Governments, and the interest of their subjects;” quoting, on this occasion, the words of a Resolution entered into at the Congress of Verona in 1822.

His Majesty’s Government would be far from wishing pertinaciously to adhere to their own proposal, if the object which they have in view could be equally attained by another mode of proceeding; but they cannot refrain from submitting, for the consideration of the Russian Cabinet, that the proposition of Count Nesselrode is not applicable to the present state of the questions to which it relates; and that to adopt it would be going backwards, instead of forwards, in this matter.

In 1822 it was a great point gained to have succeeded in engaging all the Powers who were represented at Verona to pledge themselves to the principles laid down in the resolution quoted by Count Nesselrode; but, in the 12 years which have since elapsed, great progress has been made towards the practical execution of those principles, various Treaties have been concluded for that purpose between the several Powers of Christendom, the mutual right of search has been conceded for this end by Great Britain and France, and Great Britain has gone further still in the practical application of the principles which she professes, for she has absolutely abolished slavery in her Colonies at the cost of no less a sum than £20,000,000 sterling, granted as compensation to her Colonial Proprietors.

It would, therefore, be a useless waste of time for the Powers of Europe now to replace themselves, with respect to this question, in the situation in which they stood in 1822, merely in order to work back again, by a process of negotiation, to the point at which Great Britain and France have already arrived by their own reciprocal and spontaneous engagements.

‘The most effectual means of preventing the Traffic in Slaves’ need no longer be investigated, because they have already been found out; and they are contained in the Conventions to which the Russian accession is required.

Those means are,—mutual right of search within certain latitudes and longitudes; the condemnation of vessels fitted up in a particular manner, although no slaves should actually be found on board; the breaking up of all vessels which may be condemned for Slave Trading; and the application of these means has, by the Conventions in question, been so arranged as to be “compatible with the rights of the respective Governments, and with the lawful interests of their subjects.”

His Majesty’s Government, therefore, can see no possible advantage which could arise from the opening of such Conferences as those suggested by Count Nesselrode.

If the Russian Government thinks that there are any peculiarities in the geographical, political, or commercial situation of Russia which would require that she should attach modifications or reservations to her accession to the Conventions of 1831 and 1833, the Governments of Great Britain and France would, of course, be ready to take such modifications and reservations into consideration, and if they were found not to interfere with the efficacy of the Conventions, Great Britain and France would no doubt consent to accept them; but it cannot be necessary to open a Conference of the Great Powers of Europe in order to make and consider such propositions.

You will, therefore, again urge the Cabinet of St. Petersburg to accede to the proposal which has been made to it by those of London and Paris; and you will express the anxious hope of His Majesty’s Government, that the concurrence of His Imperial Majesty will not be withheld from stipulations, the only object of which is to carry into practical execution those principles which the Russian Government has, on all occasions, so warmly and so decidedly asserted.

I am, &c.,

(Signed)

PALMERSTON.

The Hon. J. D. Bligh,
&c. &c. &c.

No. 105.

The Hon. J. D. Bligh to Viscount Palmerston.—(Received Oct. 27.)

MY LORD,

St. Petersburg, 15th October, 1834.

I COMMUNICATED, *in extenso*, to Count Nesselrode your Lordship’s Despatch of the 30th ultimo, which I had the honour to receive by last post, as the best mode of laying before the Russian Government the objections felt by His Majesty’s Government to the plan proposed in Count Nesselrode’s Note of the ^{27th August,}_{6th September,} for obtaining the object which the Conventions signed by His Majesty and the King of the French were so well calculated to ensure, without the delay which the adoption of His Excellency’s proposition would occasion.

In the conversation which ensued, when I strongly urged Count Nesselrode not, for a question of form, to let slip the opportunity of at once affording the sanction of the Russian Government to a measure, which, if adopted by all civilized Powers, must so effectually tend to the suppression of a traffic held so much in horror both by the Emperor and by his Predecessor, His Excellency assured me, that your Lordship was mistaken in supposing that the wish of the Russian Government was to retrograde in the business by proposing to reopen discussions upon the subject, but merely to proceed in the regular course by obtaining, in conference with the other Powers who were Parties to what had previously been agreed upon, their adhesion to the Conventions signed by England and France, the efficacy of which Russia was far from disputing.

Count Nesselrode promised that your Lordship’s reasoning on this matter should be taken into serious consideration, but that he would suspend giving any official Answer until after the return of the Emperor.

I have, &c.,

(Signed)

J. D. BLIGH.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

SARDINIA.

No. 106.

Viscount Palmerston to Sir E. Disbrowe.

SIR,

Foreign Office, 8th July, 1834.

I HEREWITH transmit to you, for your Information, a Copy of Papers marked A. and B., relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

Sir E. Disbrowe,
&c. &c. &c.

I am, &c.,
 (Signed)

PALMERSTON.

No. 107.

*Viscount Palmerston to Sir E. Disbrowe.**Foreign Office, 25th July, 1834.*

(AN Instruction similar to those sent to Mr. Villiers and Lord Howard de Walden.—See Nos. 12 and 23.)

No. 108.

The Hon. J. A. D. Bloomfield to Viscount Palmerston.—(Received Aug. 25.)

MY LORD,

Stockholm, 15th August, 1834.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, addressed to Sir Edward Disbrowe, of the 25th ultimo, and its several Enclosures, being Copies of Communications which have passed between His Majesty's Government and that of France, upon the subject of the proposed invitation to Foreign Powers to accede to the 2 Conventions recently concluded between Great Britain and France, having for their object the more effectual abolition of the Traffic in Slaves.

I have inquired of the French Chargé d'Affaires if he has received from his Court any Instructions on this subject, but none have as yet reached him.

I shall not fail, at the proper time, and according to your Lordship's Instructions, to aid the French Mission in its efforts to induce the Swedish Government to accede to the Conventions in question.

I have, &c.,

(Signed)

J. A. D. BLOOMFIELD.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

TWO SICILIES.

No. 109.

Viscount Palmerston to the Hon. W. Temple.

Foreign Office, 18th February, 1834.

(AN Instruction similar to that sent to Sir Frederick Lamb.—See No. 83.)

No. 110.

The Hon. W. Temple to Viscount Palmerston.—(Received April 8.)

MY LORD,

Naples, 24th March, 1834.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, of the 18th February, enclosing Copies of the 2 Conventions concluded between His Majesty and the King of the French, for the more effectual suppression of the Traffic in Slaves, together with the Draft of a Note which I was instructed to present, in concert with the French Ambassador, to the Minister for Foreign Affairs, for the purpose of inviting the Government of the King of the Two Sicilies to accede to the above-mentioned Conventions.

On the receipt of this Despatch, which reached me on the 8th instant, I called upon M. de Mareuil, who informed me that he had received Instructions to the same effect from his Government, and on comparing the Draft of the Notes which had been sent to us from our respective Courts, they were found to be similar in all respects, except that as M. de Mareuil's Instructions were sent to him before it had been settled in London whether the King of Naples was to be invited to accede to the Conventions by a formal Treaty or not; His Excellency was desired to shape his Note in conformity with the Instructions which would be sent to me upon the subject, and he accordingly did so.

On the 10th, the Notes, with their Enclosures, were transmitted to Prince Cassaro by M. de Mareuil and myself; and at an interview which I had subsequently with Prince Cassaro, I communicated to him the substance of your Lordship's Despatch, when His Excellency assured me, as he had the Baron de Mareuil, that His Sicilian Majesty was fully disposed to co-operate, as far as circumstances would allow him, with the Governments of England and France in their endeavours to put an end to the Slave Trade. No answer has, however, been returned to our Notes, and the departure of the King of Naples for Rome will probably cause some time to elapse before any will be given.

I have, &c.,

(Signed) W. TEMPLE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 111.

The Honourable W. Temple to Viscount Palmerston.—(Received April 8.)

MY LORD,

Naples, 26th March, 1834.

SINCE writing my Despatch to your Lordship of the 24th instant, I have received a Note from Prince Cassaro, dated the 24th instant, but which has only been delivered to me this evening, in answer to the Note which, according to your Lordship's Instructions, I addressed to him in concert with the French Ambassador, inviting His Sicilian Majesty to accede, by a formal Treaty, to the 2 Conventions, concluded between the British and French Courts, for the sup-

pression of the Slave Trade. I have the honour of enclosing a Translation of this Note to your Lordship, from which it appears that for reasons therein stated His Sicilian Majesty declines entering into a formal Treaty with England upon the subject, but expresses his readiness to renew his adhesion to the principles upon which the Conventions are founded.

I have, &c.,

(Signed)

W. TEMPLE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 111.

Sicilian Minister for Foreign Affairs to the Honourable W. Temple.

(Translation.)

Naples, 24th March, 1834.

THE Undersigned, &c., has lost no time in submitting to the knowledge of the King, his august Sovereign, the contents of the Note of the 10th instant, in which Mr. Temple, &c., stating the Convention, entered into between England and France, for the purpose of rendering more efficacious the abolition of the Slave Trade, invites the Sicilian Government to adhere to the same, and guarantee it by a formal Treaty.

The Undersigned, in reply to the aforesaid Communication, has the honour to inform His Excellency that His Sicilian Majesty, by his accession to the acts of the Congress of Vienna, has already admitted the principle upon which repose the recent Conventions entered into by the King of Great Britain and the King of the French, for the abolition of the aforesaid trade, and that His Sicilian Majesty would be willingly disposed to confirm it by a fresh adherence, were such a step considered necessary; but as the above-mentioned Conventions relate to the means by which the resolutions entered into by the Powers assembled at the Congress of Vienna should be carried into effect, it would not now be possible for His Sicilian Majesty to enter into the engagements contained in the said stipulations by means of a formal Treaty with England.

1. Because His Majesty does not possess Colonies where the labour of negroes is required.

2. Because the commercial navy of this Kingdom never extends its navigation as far as those seas in which this unlawful traffic is carried on; and,

3. Because His Sicilian Majesty does not find himself in a state to furnish men-of-war to cruize, and which, according to the letter of the Convention, should station themselves on the Western Coast of Africa, from Cape de Verd to the distance of 10 degrees south of the Equator, round the Island of Madagascar and Cuba, and Porto Rico, and on the Coast of the Brazils.

His Sicilian Majesty, for the above-mentioned reasons, entertains a firm persuasion that His Majesty the King of Great Britain will feel the justice of the motives which render the wise dispositions of the above-mentioned Treaties inapplicable to the Kingdom of the Two Sicilies, although His Sicilian Majesty perceives fully the provident intentions of the same, and sincerely approves the truly philanthropic maxims which have actuated His Britannic Majesty to treat for the good of humanity.

The Undersigned, &c.,

(Signed)

CASSARO.

His Excellency William Temple,

&c.

&c.

&c.

No. 112.

Viscount Palmerston to the Hon. William Temple.

SIR,

Foreign Office, 24th April, 1834.

I HAVE received your Despatches, of the 24th and 26th March, 1834, on the subject of the proposed accession of His Sicilian Majesty to the recent Conventions between Great Britain and France relative to Slave Trade.

I observe that the Sicilian Government express their concurrence in the principles of these Conventions, but object to accede formally, by Treaty, to the engagements contained therein: first, because Sicily has no Slave Colonies; secondly, because the Sicilian Commerce does not extend to those Seas where Slave Trade is carried on; and, thirdly, because it would not be convenient to His Sicilian Majesty to furnish men-of-war to cruize on the stations specified in the Conventions.

Notwithstanding these objections, however, on the part of the Sicilian Government, you are instructed to renew your application for the formal accession of the King of the Two Sicilies to these Conventions; for I feel persuaded that the Sicilian Government will, on further consideration, be disposed to admit that their objections are less weighty than they at first imagined, or that those objections might easily be obviated by reservations in the Treaty of Accession.

In discussing the subject with the Sicilian Government you will state, first, that if His Sicilian Majesty has no Colonies, that circumstance is, at least for the present purpose, attended with this advantage, that there can be no portion of his subjects who could fancy, even erroneously, that his accession to these Conven-

tions would be prejudicial to their local interests ; secondly, that although the commercial navy of His Sicilian Majesty may not frequent the seas in which the Slave Trade is carried on, yet, if His Majesty should not accede to these Treaties, ships of other countries might fraudulently assume the flag of Naples, in order to protect themselves from search, and hindrance in their traffic ; and thus, in a matter in which Neapolitan subjects had no interest, direct or indirect, the flag of Naples might be prostituted by strangers to purposes abhorrent to the benevolent sentiments of His Majesty ; finally, you will state, that the knowledge that His Sicilian Majesty had acceded to the Conventions would, of itself, effectually prevent such an abuse of His Majesty's flag, and thus the other Contracting Parties would never have occasion to require His Majesty actually to send cruizers to the seas of Western Africa ; His Sicilian Majesty would therefore, without any inconvenience to his own naval service, and without any interference with the interests of his subjects, be enabled to afford to the world an additional and honourable proof of those enlightened and humane sentiments by which His Majesty is so well known to be animated ; and His Majesty would, at the same time, have the satisfaction of affording to England and France an important aid in accomplishing the humane objects which those Powers have in view.

You will add, that the enclosed Draft of Treaty has been prepared with a view to meet the feelings and position of His Sicilian Majesty with regard to all these above points, and you will express the confident hope of His Majesty's Government that this Draft may meet with the concurrence of the Sicilian Government.

I am, &c.,
(Signed) PALMERSTON.

His Excellency William Temple,
 &c. &c. &c.

BUENOS AYRES.

No. 113.

Mr. Gore to Viscount Palmerston.—(Received March 26, 1834.)

MY LORD,

Buenos Ayres, 12th December, 1833.

I HAVE deemed it my duty, under the 14th Article of the Treaty existing between Great Britain and the Argentine Republic, to call the attention of this Government to the subject of the Slave Trade, which, I have strong reason to believe, has latterly been carried on pretty largely at Buenos Ayres, in contradiction to the spirit of that Treaty, and in defiance of the laws of the Country.

In my conversations with the Minister upon this topic, I carefully avoided alluding to the employment of repressive measures, on the part of His Majesty's cruizers, for the prevention of the Black Trade, if prosecuted under the Buenos Ayrean flag. To such an extent I did not conceive myself authorized to go; and I appealed, therefore, simply to those principles of humanity which may be supposed to actuate this Government, and to its promised co-operation with that of His Majesty for the extinction of the traffic.

His Majesty's Consul General at Monte Video will, I conclude, have brought to your Lordship's knowledge the slaving transactions which are now said to be taking place in the Oriental Republic of the Uruguay.

The evil, however, was not likely to cease there. The Monte-Videan speculators have had doubtless in view not only to supply slaves to the Oriental territory, but to introduce them into the southern parts of Brazil, and also into the Provinces of La Plata; and, accordingly, some of the Negroes thus imported have, as I am credibly informed, been subsequently conveyed to Buenos Ayres, where they have been sold with little concealment.

More have been introduced in vessels under the flag of Brazil, trading between Buenos Ayres and Santos, or ports of the Empire, while others, I have reason to believe, have been imported here direct from the Coast of Africa.

I have the satisfaction to enclose the translation of a Decree which has been issued, within these few days, by this Government, calling into full vigour the various enactments of the State against slave-dealing, more particularly the Law of the 15th November, 1824, declaring the same piracy, and I have been further assured that the utmost endeavours will be used by the Buenos-Ayrean Authorities to put an effectual stop to these abuses.

But it is matter of regret that the Oriental Republic, scarce emerged from its political tutelage, should think fit to countenance this odious traffic in the face of the efforts of the great Maritime Powers of the world to procure its final abolition.

I have, &c.,

(Signed)

PHILIP Y. GORE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

..

Enclosure in No. 113.

(Translation.)

DECREE.

Buenos Ayres, November 26th, 1833, 24th year of Liberty and 18th of Independence.

WHEN the Government, by its Decree of the 15th of October, 1831, annulling that of the 3d of September, 1824, granted permission to import slaves which should be introduced in the class of *servants*, it was very far from believing that this measure, adopted to improve the condition of slaves, who, without doubt, are benefited when placed under the protection of our laws, would have been a pretext for infringing them, and oppressing humanity. These considerations, and the knowledge that the Government possesses, that under the pretence and title of *servants*, black slaves are introduced from the Coast of Africa, and from other points in which they are an article of contraband, make it a duty to prevent such acts from being committed; and it resolves and decrees the following:

ARTICLE I.

The enactments prohibiting the Traffic in Slaves are declared to be in full vigour, and more especially the Law of the 15th of November, 1824.

ARTICLE II.

In the act of visiting all vessels coming from Foreign Ports, the Captain of the Port shall require a List, upon oath, of the Slaves on board, with a specification of their Masters.

ARTICLE III.

The list required by the preceding Article shall be immediately passed to the Department of Police, where the Proprietors shall present themselves with their Slaves, and account for them.

ARTICLE IV.

If the excessive number of freshly-imported Slaves, introduced by an individual, shall induce a suspicion that they may be imported contrary to law, the Chief of Police shall direct that a brief statement of the fact be drawn up, and shall inform the Government of the same, for its resolution thereon, making the proprietor, meanwhile, responsible for the existence of the negroes, and prohibiting their transfer to others.

ARTICLE V.

The slaves, which shall be introduced in whatever manner contrary to the provisions of the present Decree, shall be declared forfeited, and shall be awarded, "*en patronato*," to the denouncer, on the conditions established as the general rule.

The Captain of the Port shall take care that, in the act of visiting vessels on their arrival, their Captains and Passengers shall be advised of the contents of the present Decree, in order that they may not allege ignorance of the same.

Let it be communicated, published, and inserted in the Official Register.

MANUEL J. GARCIA.

No. 114.

Mr. Gore to Viscount Palmerston.—(Received August 4.)

MY LORD,

Buenos Ayres, 2d May, 1834.

HAVING received information which gave me the strongest reason to believe that a vessel, called the "*Flor del Rio*," under the Argentine flag, was fitting out in this Port, for the purpose of very shortly proceeding to the Coast of Africa for Slaves, I invited the attention of the Minister for Foreign Affairs to this circumstance.

His Excellency, while assuring me, in reply, of the anxiety of his Government to give full effect, as well to the Laws of the Country, as to its engagements with Great Britain, for the suppression of this odious traffic, has communicated to me the Document which I have herewith the honour to enclose, in Translation, whereby your Lordship will learn the measures that have been adopted by the Buenos Ayrean Authorities for frustrating the unlawful designs of the Owners of the above-named vessel.

I have, &c.,

(Signed)

PHILIP Y. GORE.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 114.

(Translation.)

DEPARTMENT OF WAR AND MARINE.

Buenos Ayres, April 11th, 1834, 25th year of Liberty and 19th of Independence.

TO THE COMMANDANT OF REGISTERS.

UNDER this day's date, the Minister of Government communicates to the Minister of War the following:

"The Government has been given to understand that the Packet '*Flor del Rio*' is preparing to quit this Port for the purpose of being employed in the Traffic in Slaves on the Coast of Africa, contrary to the provisions of the existing Law of the Province of the 15th November, 1824, which declares this traffic to be an act of Piracy, and imposes upon those who are employed in it the penalties applicable to pirates. On this account it has ordered that all the necessary precautions be taken by the Minister of War to prevent the packet '*Flor del Rio*' proceeding from hence with this object."

And the same shall be transcribed to the office of the Commandant of Registers, in order that without loss of time an investigation take place respecting the objects of the voyage of the packet "*Flor del Rio*," intimating to her Captain that the Government, resolved to prevent by every means within its reach the dishonourable and criminal traffic of the human race from being renewed upon the Coasts of the Republic, declares that if it be proved to have been engaged in, should he be a native, he shall be held up to the public as unworthy of the citizenship of the Argentine Republic, and tried as a pirate; and if a foreigner, he shall suffer all the rigour of the Laws enacted against pirates, being for ever prohibited from treading the territory of the Province of Buenos Ayres, in case it should not be possible to bring him to trial. The Captain of the packet shall sign the notification of what is contained in the present Note, which shall be inserted in the Archives of the Office of Commandant of Registers.

God preserve, &c. &c.,

(Signed)

THOMAS GUIDO.

No. 115.

Viscount Palmerston to Mr. Hamilton Hamilton.

SIR,

Foreign Office, September 8, 1834.

By article 14 of the Treaty of Amity, Commerce, and Navigation, between His Majesty and the United Provinces of Rio de la Plata, of the 2d of February 1825, the United Provinces of Rio de la Plata engaged to "co-operate with His Britannic Majesty for the completion of the beneficent work of abolishing the Slave Trade, and to prohibit all persons inhabiting within the said United Provinces, or subject to their jurisdiction, in the most effectual manner, and by the most solemn Laws, from taking any share in such trade."

I herewith transmit to you the Draft of a Treaty, and of 3 Annexes thereto, marked A., B., and C., drawn up with a view of embracing all those detailed stipulations which experience has shown to be necessary, in order to prevent the subjects and citizens of the Contracting Parties to the Treaty from engaging in any way whatever in the trade; and in order to prevent the flag of either party from being used with impunity, for the purpose of covering and protecting undertakings contrary to those stipulations.

I have to convey to you the King's commands, that you use your utmost endeavours to induce the Government of the United Provinces of Rio de la Plata to conclude with Great Britain a Treaty, upon the basis laid down in the accompanying Draft, and thus to give a proof to the civilized world of the good faith with which they are prepared to carry into practice the principles which they have professed in the compacts which they made with His Majesty in the year 1825.

I am, &c.,

(Signed)

PALMERSTON.

H. C. J. Hamilton, Esq.,

&c.

&c.

&c.

MONTE VIDEO.

No. 116.

Viscount Palmerston to Mr. Hamilton Hamilton.

SIR,

Foreign Office, 8th September, 1834.

I ENCLOSE to you Copies* of Communications which I have received from His Majesty's Consul at Monte Video.

You will see from them that the 131st Article of the Constitution of Monte Video declares that all Children born of Slave Parents are free; and that the Importation of Slaves into Monte Video, and all Traffic in Slaves by the Citizens of that Republic, should be deemed unlawful after the 10th of September, 1829. You will, however, observe that, very soon after this Law came into operation, the Government of Monte Video relaxed in the enforcement of it; and that, shortly afterwards, the Law ceased wholly to be carried into effect.

The consequence has been, that the Slave Trade is now increasing in the River Plata, supported by the capital of Monte-Videan Citizens, and covered by the flag of the United Provinces of the Uruguay.

Unless, therefore, this mischief be promptly checked, the endeavours which have been made to extinguish the Traffic will be entirely frustrated.

His Majesty's Government, impressed with this conviction, mindful of the sacrifices and efforts of Great Britain to effect the entire abolition of the Slave Trade, and anxious that those efforts should not, at last, prove unavailing, desire that you will take an early opportunity to open an official Communication with the Authorities at Monte Video on the subject of the Slave Trade.

You will represent to the Monte-Videan Authorities the deep disgrace to which they are exposing their Country, by affording fresh facilities to a Traffic which has been denounced by every other civilized Power in Europe and America.

If the United Provinces of the Uruguay attach any value to the good opinion of the rest of the world, they will lose no time in freeing their flag from the stain which is cast upon it by the protection which it affords to a barbarous and disgraceful practice, deserving rather to be stigmatized as piracy, than to be dignified by the appellation of trade.

I trust that you will have little difficulty in inducing the Monte-Videan Authorities to enter into Negotiation with you for the conclusion of a Treaty between Great Britain and that Republic for the purpose of entirely and effectually preventing this trade from being carried on either by the Citizens of the Republic, or under cover of its flag.

I herewith transmit to you the Draft of such a Treaty, with its Annexes, A, B, and C; and I have to convey to you His Majesty's express Commands that you use your utmost endeavours to bring this Negotiation, without delay, to a successful issue.

I am, &c.,
(Signed) PALMERSTON.

H. C. J. Hamilton, Esq.,
&c. &c. &c.

* See Class B. No. 87 of 1832, No. 65 of 1833, No. 118 of 1834.

MONTE VIDEO. (*Consular.*) MONTE VIDEO.

No. 117.

Mr. Hood to Viscount Palmerston.—(Received February 19, 1834.)

(Extract.)

Monte Video, 10th November, 1833.

I HAVE the honour to acquaint you, that, on the 26th, the schooner "*Aguila Primera*," under the flag of this place, arrived from Benguela, and landed 239 negro slaves, denominated Colonists; and that, on the 27th of the same month, the schooner "*Porfia*," under Brazilian colours, sailed, in ballast, for Angola, publicly and professedly on a slaving voyage; and further, that the Brazilian brig "*Baron de Rio de Prata*" had, at the time of the "*Aguila Primera's*" sailing from Benguela, nearly all her slaves collected, from which it may be expected she will arrive shortly. Fifteen vessels were lying at Benguela, at the time of the "*Primera's*" departure, waiting for slaves.

In my Despatch of the 10th of February, I stated that the Minister had granted a Licence to a Society of Merchants (Brazilians and Natives) to import 2,000 slaves as Colonists; but as the "*Aguila Primera*" did not belong to that Society, the slaves were, on landing, seized, as being an infraction of the Contract, and re-delivered by an order of the Government, upon the proprietor of this vessel paying to the Contractors a compensation, which it was agreed should be 14,000 dollars.

(Signed)

THOMAS SAMUEL HOOD.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 118.

Mr. Hood to Viscount Palmerston.—(Received June 7.)

MY LORD,

Monte Video, 25th February, 1834.

I HAVE the honour to notify the arrival of the brig "*Barão do Rio da Prata*," at Maldonado, with a cargo of 450 negro slaves.

This vessel, which belongs to Teodore Villaso, a Brazilian merchant resident here, sailed from hence last year under Brazilian colours, bound for Benguela, at which place, I learn, a fictitious sale took place, by which the vessel was put under Portuguese colours, to avoid the penalties they might otherwise have been exposed to if captured under the Brazilian flag.

Since Brazil declared trading in slaves to be felony, the great bulk of Brazilian traders have resorted to the use of the Old Portuguese flag, which they obtain from the Authorities at the Portuguese Settlements on the Coast of Africa, who are now the great fomenters of this traffic to this part of America; but, as I can see no other benefit likely to result from this simulation of character than a hope of escaping the penalties of felony to which they are exposed under the Brazilian flag; and as Article I. Section IV. of the Treaty between Great Britain and Portugal, bearing date the 28th July, 1817, expressly prohibits slaves being carried in Portuguese vessels to places not within the Dominions of His Majesty the King of Portugal, which will, no doubt, expose vessels employed as I have described to condemnation; I feel impelled to apprise your Lordship of the apprehension I entertain that the flag of this Republic may be discovered to offer protection for both persons and property.

I have, &c.,

(Signed)

THOMAS SAMUEL HOOD.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

No. 119.

Mr. Hood to Viscount Palmerston.—(Received August 5.)

MY LORD,

Monte Video, 10th April, 1834.

IT is my duty to inform your Lordship that the Brazilian brig-schooner "*Porfia*" arrived at this port on the 6th instant, with a cargo of 300 negro slaves, which she brought from Angola.

These slaves (principally children) were landed openly, and are now publicly exhibited for sale, in a mart recently established at the gates of the city.

I have also to announce the departure of the schooner "*Aguila Primera*," under the flag of, and belonging to Don José Platero, a citizen of this Republic, bound to Africa for slaves.

I have, &c.,

(Signed)

THOMAS SAMUEL HOOD.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

UNITED STATES OF AMERICA.

No. 120.

Sir C. Vaughan to Viscount Palmerston.—(Received January 9, 1834.)

(Extract.)

Washington, 12th December, 1833.

It was understood that the decision of the Government upon their Accession to the recent Conventions concluded between Great Britain and France, for the more effectual suppression of the Slave Trade, was deferred until the meeting of Congress should enable the Secretary of State to ascertain the opinions of the leading Members of the Legislature, as an Accession to the Conventions would imply a concession of a mutual and restricted right of search, which had been refused by the Senate in 1824.

A sufficient time having elapsed, since the meeting of Congress, for sounding the opinions of the Members, I stated to Mr. M'Lane that, with the consent and concurrence of the French Minister, I must now require an answer to the invitation, which, according to Instructions from our respective Governments, we had addressed to him, simultaneously and in concert, in the month of August last. Having submitted the Draft of a Note to Mr. M'Lane to the French Minister, of which he approved, and requested me to add that it met with his consent and concurrence, on the 10th instant I delivered to the Secretary of State the Note, a Copy of which I have the honour to enclose.

I think that it is time to press this Government to a decision. Mr. M'Lane speaks to me of the apprehension of aggravating the excited feelings of the Southern States, and that, at this time, the endeavours to get up Anti-Slavery Societies have roused the jealousy of all the Slave-holders throughout the Union, about the General Government touching in any shape the question of the Slave Trade, notwithstanding the Accession to the Conventions has nothing to do with slavery, as it exists in the States. A domestic Slave Trade is carrying on now throughout the Union, in consequence of the increased demand for slaves, for the cultivation of sugar and cotton.

I have repeatedly urged on the consideration of the Government that their Accession to the Conventions will not imply a concession of the principle of a right to search their vessels, in time of war, for British seamen,—that it is a mutual and restricted right of search, strictly in conformity with the concession recommended by the House of Representatives in 1821 and 1822,—and that a subserviency of the Government to the feelings of their Slave-holders, by refusing to accede to the Conventions, will do infinite mischief to their national character in Europe. Your Lordship has directed me not to relax in my efforts to surmount the difficulties which have been raised to the Accession of the United States; and I beg leave to assure your Lordship, that it is not less my inclination than my duty to exert myself.

As Mr. M'Lane observed that he had not had any intercourse with the French Minister on this subject since his audience, when he delivered the invitation of his Government, I have sent to him a Copy of my Note to Mr. M'Lane, and have reminded him of his offer to see the Secretary of State, and requested him to use his best endeavours to bring about a compliance with the wishes of our Governments.

While the Executive at Washington appears to shrink from bringing forward, in any shape, a question, upon which depends the completion of their former object, the utter and universal Abolition of the Slave Trade, from an apprehension of alarming the Southern States, I am happy to observe, in a Message just published of Governor Hayne to the Legislature of South Carolina, a recommendation to them to amend their Laws for the government, the trial, and the punishment, of slaves and persons of colour. Some reform, he asserts, from his own experience, is imperiously called for,—while discipline is enforced, the Law ought to afford protection against injustice. The Courts are so arranged, that

the slaves are denied an impartial trial; the Justices and Freeholders are selected by the prosecutor,—capital offences committed by slaves are tried by Courts ignorant of Law, and without the aid of Counsel. To remedy this, Governor Hayne recommends that the Freeholders should be drawn by lot, as Jurors are drawn, and that prosecutions of slaves, in capital cases, should be conducted, in the name and behalf of the State, by the Attorney and Solicitor General, or Gentlemen of the Bar authorised to act for them, and no sentence to be executed before it has been submitted to the Executive of the State.

I cannot but call your Lordship's attention to the disposition manifested in the principal slave-holding State, "to extend (to use Governor Hayne's words) justice to those who are, from their peculiar condition, so entirely at their mercy."

It may, perhaps, justly be considered as the result of the recent discussions in the British Parliament, which have forced upon the consideration of the Southern planters the condition of their slaves, and a timely amelioration of it, to prevent the retribution with which they are menaced.

(Signed) CHAS. R. VAUGHAN.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

Enclosure in No. 120.

Sir C. Vaughan to the American Minister for Foreign Affairs.

Washington, 10th December, 1833.

THE Undersigned, &c., cannot refrain from expressing to the Secretary of State of the United States his anxiety to receive an answer to the invitation which he had the honour to present in the month of August last, simultaneously and in concert with the Minister of France, to the Government of the United States, to accede to the Conventions concluded between those Powers for the more effectual suppression of the Slave Trade.

The Governments of Great Britain and France decided that the first overture inviting Accession to the Conventions was due to the United States, and a confident expectation is entertained that their Accession will be followed by that of the other Maritime States. It becomes, therefore, of importance, that the Governments of Great Britain and France should be in possession, as soon as possible, of the decision of the Government of the United States.

The sincere co-operation hitherto of the American Government in the suppression of the Slave Trade, which they were the first to denounce as piracy, and as the mutual right to examine all vessels engaged in that traffic conceded by the Conventions is strictly in conformity with the concession recommended in the Resolution of the House of Representatives in 1821 and 1822, the Undersigned trusts that the Government of the United States will not refuse to co-operate with Great Britain and France in the measures which they have now adopted, and which promise the utter and universal extinction of that disgraceful traffic.

It is with the entire approbation and concurrence of His Excellency the Envoy Extraordinary and Minister Plenipotentiary of France that the Undersigned has the honour to address this Note to the Secretary of State of the United States, and he may rest assured that the anxiety felt by the Government of France to receive the Accession of the United States to the Conventions is not less than that of the Government of His Britannic Majesty.

The Undersigned, &c.

(Signed) CHAS. R. VAUGHAN.

The Hon. Louis M'Lane,
&c. &c. &c.

No. 121.

Sir C. Vaughan to Viscount Palmerston.—(Received January 22, 1834.)

(Extract.)

Washington, December 22, 1833.

SINCE my last Despatch, Mr. M'Lane has called upon me to request that I would give him, in writing, a statement of the right of search which it was expected that the United States would concede. I transmitted to him immediately a Note, a Copy of which I have the honour to enclose.

(Signed) CHAS. R. VAUGHAN.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

Enclosure in No. 121.

Sir C. Vaughan to the American Minister for Foreign Affairs.

Washington, 25th December, 1833.

THE Undersigned, &c., apprehending from a late interview with the Secretary of State of the United States that the nature of the provisions which it will be necessary to include in the Act of Accession of the United States to the Conventions between Great Britain and France, for the effectual

abolition of the Slave Trade, may not be exactly understood, he has the honour to state that in the Act of Accession with America it will be necessary that the right of search should be extended to the coasts of the United States, as well as to the other portions of coast on which the right is given under the 1st article of the Convention with France, of the 30th November, 1831; and His Majesty's Government have no objection to extend the stipulations to the coasts of the British West India Colonies.

It will be necessary likewise to fix upon the place to which vessels suspected of Slave Trade shall be carried for adjudication.

A reciprocal right of search, therefore, is to be conceded by the United States, limited as to place, and subject to specified restrictions. It is to be employed only in repressing the Slave Trade, and to be exercised under a written and specific authority, conferred on the Commander of the visiting ship by the Government of the country to which the ship visited may belong. It cannot, therefore, imply any pretence of jurisdiction by the ships of war of one Country over the flag of the other.

Conventions are offered for the Accession of the United States, by which the British and French Governments have been enabled without any sacrifice of national honour to give each other effectual assistance in extinguishing a disgraceful traffic. The obvious necessity of conceding for this purpose a mutual right of search was acknowledged in the Resolutions of the House of Representatives in 1821 and 1822, and the Undersigned trusts that whatever jealousy former misunderstandings between Great Britain and the United States, with respect to the right of search, may have produced, the Accession to the Conventions now proposed will be received with a feeling more consonant with the confidence which is due by each Nation to the other.

The Undersigned, &c.

(Signed)

CHAS. R. VAUGHAN.

The Hon. Louis McLane,

&c. &c. &c.

No. 122.

Sir C. Vaughan to Viscount Palmerston.—(Received May 5.)

MY LORD,

Washington, 28th March, 1834.

I HAVE the honour to transmit to your Lordship a Copy of a Note which I have received from the Secretary of State of the United States, stating, for the information of His Majesty's Government, that the President declines to accede to the Conventions concluded between Great Britain and France for the more effectual suppression of the Slave Trade.

The necessity of extending to the coasts of America the right to examine vessels suspected of being engaged in the Traffic of Slaves, it is declared in the enclosed Note, would at any time have led the President to decline altogether, and under any circumstances, to accept the invitation of Great Britain and France.

M. Serurier, the Envoy from the Court of France, has received an answer in the same terms as those contained in the Note of Mr. McLane addressed to myself.

I have, &c.,

(Signed)

C. R. VAUGHAN.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 122.

The American Minister for Foreign Affairs to Sir C. Vaughan.

Department of State, Washington, 24th March, 1834.

THE Undersigned, &c., has the honour to inform Sir Charles R. Vaughan, &c., that after the receipt of his Note of 18th August last, inviting, by direction of his Government, the Accession of the United States to the recent Conventions concluded between His Britannic Majesty and His Majesty the King of the French, for the more effectual suppression of the Traffic in Slaves, he took an early opportunity, as he has already stated verbally, of laying it before the President, together with the Note of M. Serurier, &c., to the same effect. He has also submitted to the President the subsequent Note written by Sir Charles R. Vaughan with the concurrence of M. Serurier, on the 10th December, and the other of the 25th December last, on the same subject.

The Undersigned is now charged to acquaint Sir Charles, for the information of His Britannic Majesty's Government, that the President duly appreciates the considerations which have influenced the 2 High Contracting Parties in inviting the Accession of the United States to the Conventions which they have entered into for the suppression of that odious traffic, and that he will always be ready to promote such measures for that object as may be consistent with the rights and dignity of the United States, and the security and just interests of their Citizens.

In the opinion of the President, however, these Conventions are substantially liable to the objections which, on former occasions, have been deemed insuperable; but if he had doubted as to the propriety of declining, on that ground, to make the United States a party to them, the information communicated in Sir Charles R. Vaughan's Note of the 25th December, "that in the Act of Accession with America it will be necessary that the right of search should be extended to the coasts of the United States," would have led him, under any circumstances, altogether to decline it.

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It is proper also to observe, that such an extension to the right of search as Sir Charles R. Vaughan is instructed to require from the United States would not be an Accession to the existing Conventions according to their present terms, but an interpolation of a new article, giving a new and broader and inadmissible scope to the original limitations, not contemplated by the High Parties.

Though the President cannot unite in the measures proposed by these Conventions, he is happy to see the determination which they manifest on the part of the 2 powerful Nations to put an end to the iniquitous traffic which they are designed to break up. A similar feeling on the subject is gaining ground in other Countries; and though no plan of general co-operation may be agreed upon, the President persuades himself that, by proper exertions on the part of each, that great object, the abolition of the Slave Trade,—an object in which every branch of the Government and the whole people of the United States feel a deep solicitude,—will be speedily accomplished.

The Right Hon. Sir C. R. Vaughan, G.C.H.,
&c. &c. &c.

The Undersigned, &c.,
(Signed)

LOUIS M'LANE.

No. 123.

Viscount Palmerston to Sir Charles Vaughan,

SIR,

Foreign Office, 7th July, 1834.

YOUR Despatch of the 28th March of this year has been received, and laid before the King.

His Majesty's Government have learned, with much regret, that the President of the United States has declined acquiescing in the proposition which you were instructed to make to him for his Accession to the Conventions recently concluded between Great Britain and France, for the more effectual suppression of Slave Trade; and His Majesty's Government are the more disappointed at this refusal, as they had indulged an expectation that the Government of the United States, animated by an earnest desire to assist in suppressing that inhuman Traffic, would have eagerly availed themselves of the opportunity which the above proposition afforded them of co-operating effectually towards the accomplishment of that purpose.

His Majesty's Government, however, after an attentive consideration of the reasons which the President of the United States has assigned for refusing his accession to the Treaty in question, are unwilling to abandon the hope of still succeeding in obtaining that accession; for while, on the one hand, the objections which the President has urged to the proposal are not in themselves without weight, on the other hand the stipulations to which those objections refer, although essentially conducive to the complete attainment of the purpose in view, are, however, not absolutely indispensable.

Mr. M'Lane, while he renews the objections originally urged by the American Government to an extension of the right of search to the coasts of the United States, observes, that a clause, proposing such extension, would not be an Accession to the existing Conventions according to their present terms, but an interpolation of a new article, giving a fresh and broader scope to the original limitations, and not contemplated by the High Parties.

This observation is undoubtedly true; and the mere fact that this objection has been taken by the Government of the United States is a sufficient reason for not further pressing the adoption of such an article.

But, however desirable such an article would be if the Government of the United States could be prevailed upon to agree to it, still, even without such a stipulation, a very important advantage would be gained for the interests of humanity by the Accession of the Government of the United States to the Conventions as they stand. If the flag of the United States was prevented by Special Treaty from being assumed by the Dealers in the Human Race, as a protection for their nefarious Traffic on the coast of Africa and in the West Indian seas, and if these enemies of mankind were obliged to run the gauntlet, through the cruizers of almost all the naval Powers of Christendom, over some thousand miles of sea, unprotected by any flag by which they might attempt to cover their iniquity, it might well be hoped that their course would be arrested before they could reach any latitude within which the national pride of the United States could be wounded by the measures necessary for submitting them to stoppage or search.

Taking these circumstances into consideration, His Majesty's Government are willing to abandon that part of their proposition to which Mr. M'Lane's objections are directed; and you are therefore instructed to renew your application to

the United States' Government for their Accession to the Convention, omitting the stipulation for the extension of the right of search to the coasts of the United States.

In addressing the American Government again on this subject, you will state that His Majesty's Government have derived high gratification from learning, by Mr. M'Lane's Note, the earnest and unceasing solicitude felt in the United States, both by the Government and by the Nation, for the entire annihilation of the odious Traffic in Slaves; and you will express the earnest hope of His Majesty's Government, that sentiments, which reflect so much honour upon the United States, will induce the American Government to waive any further objections to a measure calculated to contribute, in so important a manner, to bring about the result which all parties thus ardently desire.

I am, &c.,

(Signed)

PALMERSTON.

The Right Hon. Sir Charles Vaughan, G.C.H.,

&c.

&c.

&c.

No. 124.

Viscount Palmerston to Sir Charles Vaughan.

SIR,

Foreign Office, July 8th, 1834.

I HEREWITH transmit to you, for your information, a Copy of Papers, marked A and B, relating to the Slave Trade, which have this day been presented, by His Majesty's Command, to both Houses of Parliament.

I am, &c.,

(Signed)

PALMERSTON.

The Right Hon. Sir Charles Vaughan, G.C.H.,

&c.

&c.

&c.

No. 125.

Sir Charles Vaughan to Viscount Palmerston.—(Received October 2.)

MY LORD,

Washington, 28th August, 1834.

I HAVE the honour to inform your Lordship that I addressed a Note, on the 23d instant, in conformity with your Lordship's Instructions, contained in your Despatch of the 7th ultimo, to the Secretary of State of the United States, renewing the application to the American Government for their Accession to the Conventions concluded between Great Britain and France, for the more effectual suppression of the Traffic in Slaves. I do not think it necessary to enclose a Copy of my Note, as it was almost entirely a Transcript of your Lordship's Despatch.

As I did not find, in your Lordship's Instructions, that my Note to the Government of the United States was to be presented conjointly with a Note from the French Minister, who is absent from Washington, and who, on a former occasion, preferred presenting a separate Note, I addressed a Letter to him, on the 21st August, a Copy of which I have the honour to enclose, informing him that I had received my Instructions, in which I did not find any directions to address a Note conjointly with himself, and that, therefore, I should proceed to renew my application to the American Government without delay; and that I should be ready to communicate to him the contents of my Note, and to continue, as heretofore, to act in concert with him, which, I was sure, would meet the wishes of His Majesty's Government.

The absence of the President of the United States from Washington will delay any decision upon the renewal of the application of His Majesty's Government. I have had an interview with Mr. Forsyth upon the subject, and I have endeavoured to impress upon him the absolute necessity of the Government of the United States contributing, in every shape that they can, to the success of the measures adopted by Great Britain and France for the suppression of the Slave Trade. I cannot venture to infer, from what passed, a favourable reconsideration of the renewed application for the Accession of the United States.

I have, &c.,

(Signed)

CHAS. R. VAUGHAN.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 125.

Sir Charles Vaughan to the French Envoy at Washington.

SIR,

Washington, 21st August, 1834.

THE instructions which your Excellency prepared me to expect to receive from His Majesty's Government when we met at New York, to renew the application for the accession of the Government of the United States to the Conventions concluded between Great Britain and France, for the more effectual suppression of the Traffic in Slaves, were received by me yesterday.

It appears, from those instructions, that His Majesty's Government no longer desire to press upon the Government of the United States the adoption of a clause in their Act of Accession, providing for the extension of a Right of Search to the Coasts of the United States. Mr. M'Lane, in his Note in reply to our application in concert last year, observed, that such a clause would be an interpolation of a new Article, and would not be an accession to the existing Conventions, according to their present terms, and would give a greater scope to the original limitations than was contemplated by the High Contracting Parties. His Majesty's Government, therefore, are willing to abandon that part of their proposition, and I am instructed to renew my application to the United States Government, for their accession to the Conventions, omitting the stipulation for the extension of the Right of Search to the Coast of the United States.

I presume that your Excellency will have received similar instructions from the Government of France. In the Despatch which I have had the honour to receive, the directions formerly given to present my Note, jointly or simultaneously with your Excellency, are omitted, but I presume that it is expected by our respective Governments that we should act in concert as before. I shall be obliged to you to inform me in what respect your instructions may differ from mine. It is my intention to address a Note to the Secretary of State of the United States, according to the tenour of the instructions which I have received, and I shall be anxious to communicate with you, and to act entirely in concert with you, to carry the object which our Governments have so much at heart.

Though the Secretary of State is at Washington, the absence of the President will prevent us from receiving an answer to our intended applications for some time.

I am, &c.

His Excellency M. Serurier,
&c. &c. &c.

(Signed)

CHAS. R. VAUGHAN.

No. 126.

Sir Charles Vaughan to Viscount Palmerston.—(Received October 22.)

MY LORD,

Washington, 27th September, 1834.

HAVING sent to M. Serurier, the French Minister, at his request, a Copy of my Note addressed to the Government of the United States, renewing the application for their Accession to the Conventions concluded between Great Britain and France, for the more effectual suppression of the Slave Trade, I have received, in return, a Copy of his Note to this Government, which I have now the honour to enclose to your Lordship.

I have, &c.,

(Signed)

CHAS. R. VAUGHAN.

The Right Hon. Viscount Palmerston, G.C.B.,
&c. &c. &c.

Enclosure in No. 126.

The French Envoy to the American Minister for Foreign Affairs.

New Port, (Rhode Island,) ce 12 Septembre, 1834.

LE Sousigné Ministre de France aux Etats-Unis a passé l'hiver dernier en commun avec Son Excellence Monsieur Le Chevalier Vaughan, Envoi Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique à Washington une note à M. le Secrétaire d'Etat des Etats-Unis, par laquelle ces Ministres présentaient au Gouvernement Américain par ordre de leurs Cabinets respectifs les 2 Conventions conclues entre la France et l'Angleterre les 30 Novembre, 1831, et 22 Mars, 1833, ayant pour objet la suppression plus effective de la Traite des Noirs, et invitaient le Gouvernement de l'Union à accéder à ces Conventions.

Postérieurement, le Ministre Britannique proposa au Gouvernement Fédéral que le droit de visite fût étendu au Littoral des Etats-Unis.

Dans la réponse faite par l'Honorable Mr. M'Lane au Soussigné et à son collègue d'Angleterre, en date du 24 Mars dernier, le Secrétaire d'Etat, prédécesseur de Mr. Forsyth, plaçait à la tête des considérations qui faisaient répugner le Gouvernement de la République à accéder à ces Conventions, cette clause de l'extension de visite aux côtes de l'Union.

Le Gouvernement Anglais ayant récemment déferé aux objections du Gouvernement Fédéral, et ayant retiré cette clause de sa demande d'accession, le Soussigné se flatte que Son Excellence M. le Président des Etats-Unis n'y trouvera plus les inconvénients qu'il avait pu y voir d'abord. Ces Conventions après tout ont pour but un résultat qui ne peut qu'intéresser un Gouvernement aussi humain que celui des Etats-Unis, puisqu'il vise à l'abolition définitive d'un odieux commerce d'hommes, que la République a pris de bonne heure l'honorable initiative de flétrir, et de dénoncer à la Chrétienté. L'Europe ne l'a pas oublié, et les Etats-Unis ne peuvent vouloir que leur œuvre demeure imparfaite.

(B.)

N

Il paraîtrait au Soussigné que la pensée qui a préoccupé jusqu'ici singulièrement le Gouvernement de la République dans l'examen des Conventions offertes à son adoption, est l'ancienne question de l'*Impressment*, avec laquelle elles n'ont cependant aucune connection ou rapport nécessaire. M. le Secrétaire d'Etat veut, en effet, jeter les yeux sur les instructions données aux Commandeurs de Vaisseaux de Guerre chargés de la visite des bâtimens suspectés de l'infâme trafic, il observera avec quelle loyale prévoyance toutes les précautions ont été prises par les 2 Gouvernemens pour y prévenir tout abus possible. Il pourra se convaincre, surtout en lisant l'Article 4 de ces instructions annexées à la Convention du 22 Mars 1833, qui dit expressément *que nul ne devra être distrait du bord du navire arrêté*; cette garantie est nette et positive, et semble éminemment propre à dissiper dans l'esprit du Gouvernement Fédéral toute possibilité d'appréhensions qui se rattacheraient à la question d'*Impressment*.

Le Gouvernement du Roi convaincu donc que les Conventions offertes à l'accession de la République ne peuvent avoir d'effets autres que celui, que les 2 Hautes Parties Contractantes déclarent y avoir cherché, c'est à dire la seule répression plus efficace de l'odieuse traite, et ne peuvent être une cause d'ombrage fondé pour aucune des Puissances appelées à y concourir, par toutes les sages réserves dont cette mesure est environnée, a donné au Soussigné l'ordre de présenter une seconde fois les Conventions avec ces réflexions à la considération sérieuse du Gouvernement Fédéral, et d'insister de nouveau auprès de lui, de concert avec M. le Ministre de Sa Majesté Britannique, pour que Son Excellence M. Le Président y donne son accession.

Son Excellence M. Forsyth,
&c. &c. &c.

Le Soussigné, &c.

(Signé)

SERURIER.

(Translation.)

New Port, Rhode Island, 12th September, 1834.

THE Undersigned, Minister of France at the United States, transmitted last winter, in common with His Excellency Sir Charles Vaughan, Envoy Extraordinary and Minister Plenipotentiary of His Britannic Majesty at Washington, a Note to the Secretary of State of the United States, in which they, by order of their respective Cabinets, communicated to the American Government the 2 Conventions concluded between France and England, the 30th November 1831, and the 22d March 1833, having for their object the more effectual suppression of the Slave Trade, and invited the Government of the Union to accede to those Conventions.

Subsequently, the British Minister proposed to the Federal Government to extend the Right of Search to the coasts of the United States.

In the answer returned by the Honourable Mr. M'Lane to the Undersigned, and to his English colleague, dated the 24th of March last, the Secretary of State, who was the predecessor of Mr. Forsyth, laid the greatest stress, among the considerations which disinclined the Government of the Republic from acceding to the above Conventions, on the clause of extending the search to the coasts of the Union.

The English Government having attended to the objections of the Federal Government, and withdrawn this clause from its application respecting the accession, the Undersigned flatters himself that His Excellency the President of the United States will no longer find in it the inconvenience which he might in the beginning. These Conventions have, after all, for their object a result which must be interesting to so humane a Government as that of the United States, inasmuch as it contemplates the definitive abolition of a hateful traffic in men, which the Republic, much to its credit, was the first in reprobating and denouncing to Christendom. Europe has not forgotten it, and the United States cannot wish that their work should remain imperfect.

The Undersigned suspects that the idea which has all along somewhat misled the Government of the Republic, in examining the Conventions presented for its adoption, is the ancient question of *Impressment*, with which, however, they have no necessary connexion or relation. In fact, if the Secretary of State will run his eye over the instructions furnished to the commanders of the men-of-war directed to search the ships suspected of the infamous traffic, he will find with what honest foresight all precautions have been taken by the 2 Governments to prevent every abuse in it. He may convince himself particularly by reading Article 4 of these instructions, annexed to the Conventions of March 22, 1833, which expressly says, *that no one shall be taken out of any detained vessel*; a guarantee so clear and positive, that it seems eminently calculated to remove from the mind of the Federal Government every possibility of apprehensions that would attach to the question of *Impressment*.

Accordingly, the King's Government, convinced that the Conventions presented for the accession of the Republic can have no other effect than that which the 2 High Contracting Parties declare to have had in view, that is, solely the more effectual repression of the odious trade, and which cannot furnish a motive of well-grounded suspicion to any of the Powers invited to join in it, by all the wise precautions with which this measure is surrounded, has directed the Undersigned to offer once more the Conventions, with these reflections, to the serious consideration of the Federal Government, and to urge it again in concert with His Britannic Majesty's Minister, in order to induce His Excellency the President to signify its accession thereto.

The Undersigned, &c.

(Signed)

SERURIER.

The Hon. Mr. Forsyth,
&c. &c. &c.

No. 127.

Sir Charles Vaughan to Viscount Palmerston.—(Received November 7.)

MY LORD,

Washington, 4th October, 1834.

THE President of the United States returned to Washington on the 30th September, and M. Serurier, the French Minister, and myself, have this day received the Answer to our renewed application for the Accession of the United States to the Conventions concluded between Great Britain and France, for the more effectual suppression of the Slave Trade.

I have the honour to enclose a Copy of the Note of the Secretary of State, Mr. Forsyth, and it is with great regret that I find that it is the determination of the President not to accede to those Conventions, under any modification that can be suggested.

The refusal announced in the enclosed Note is so positive, that it appears to the French Minister and myself that we have only to acknowledge the receipt of Mr. Forsyth's Note, and to express to him our regret that the reasonable expectations of our respective Governments should be so entirely disappointed.

I have, &c.,

(Signed)

CHAS. R. VAUGHAN.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 127.

The American Minister for Foreign Affairs to Sir C. Vaughan.

Department of State, Washington, 4th October, 1834.

THE Undersigned, Secretary of State of the United States, has had the honour to receive the Note of Sir Charles R. Vaughan, &c., of the 23d ultimo, proposing, in behalf of His Britannic Majesty's Government, in conjunction with the Government of France, that the Government of the United States should accede to a Convention between Great Britain and France, of the 30th November, 1831, for the suppression of the Slave Trade, and the supplementary addition to that Convention of 22d March, 1833.

Having laid it, with a Note of M. Serurier, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the French, to the same effect, before the President, by his directions the Undersigned has now the honour to reply, that neither His Britannic Majesty's Government, nor the Government of the King of the French, has comprehended the full force and effect of the Note of Mr. McLane, of the 24th March, 1834, in answer to the propositions on this subject formerly made by Sir Charles R. Vaughan and M. Serurier.

The answer of Mr. McLane was intended not only to express the President's determination not to accede to the Conventions between the 2 Powers, with the modification proposed by Great Britain, on which alone the accession of the United States was invited or apparently desired by Great Britain, but not to accede to any Convention liable to the objections brought into view. If the United States were even satisfied that the establishment by Maritime Powers of a Conventional Police on the ocean for the prevention or punishment of a particular class of offences, by their respective citizens or subjects, was called for by the character of the United States, and would be promotive of the great interests of humanity, the President could not accede to the terms of the Convention between Great Britain and France. However just may be its principles, and reciprocal the application of them between the 2 High Contracting Parties, if the United States were to become a party to it, the introduction of new provisions would be indispensable. Beyond this Continent the United States neither have, nor expect, nor desire to have, territory or jurisdiction. They cannot become parties to an instrument binding them to suffer American citizens to be sent, by the Officers of a Foreign Power, from the Coast of Africa and Madagascar to the United States for trial, and punishment, if guilty, while the subjects of France and Great Britain have a neighbouring tribunal ready to try them, and, if they are innocent, speedily to restore them to their lawful pursuits. It is true the Convention provides for indemnity for personal injury where there is no just cause for suspicion. Sir Charles Vaughan is aware that cause for suspicion, justifying arrest and investigation, is compatible with the perfect innocence of the party accused. Doubtless in the Governments of England and France a high sense of magnanimity might produce just remuneration to the sufferer. Acquitted individuals might be compensated, yet the commercial enterprise of their country be obstructed or paralysed while the tribunals were deciding their innocence or guilt.

The Undersigned does not intend to invite a discussion of the subject. He is sensible that new and extended arrangements might be offered consistent with the principle of Conventional prevention to lessen the difficulties that have been suggested. He would cheerfully aid His Britannic Majesty's Minister in devising them, if the opinion had not been definitely formed, not to make the United States a party to any Convention on the subject of the Slave Trade. It is believed that, by a faithful exertion of its own means of detecting and punishing those American citizens who violate its laws, the Government will best perform its duties to the people of the United States, and its obligations to the interests of the world.

The Undersigned, &c.,

(Signed)

JOHN FORSYTH.

The Right Hon. Sir C. R. Vaughan, G.C.H.,

&c.

&c.

&c.

No. 128.

Sir Charles Vaughan to Viscount Palmerston.—(Received November 8.)

MY LORD,

Washington, 12th October, 1834.

IN my Despatch of the 4th instant, I had the honour to transmit to your Lordship a Copy of the Note of the Secretary of State, communicating the determination of the President of the United States not to accede to the Conventions concluded between Great Britain and France, for the more effectual suppression of the Slave Trade.

I have now the honour to enclose a Copy of my Note, acknowledging the receipt to Mr. Forsyth, which the time fixed for the sailing of the last packet for England prevented me from transmitting in my last Despatch.

I have, &c.,

(Signed)

CHAS. R. VAUGHAN.

The Right Hon. Viscount Palmerston, G.C.B.,

&c.

&c.

&c.

Enclosure in No. 128.

*Sir C. Vaughan to the American Minister for Foreign Affairs.**Washington, 5th October, 1834.*

THE Undersigned, &c., has the honour to acknowledge the receipt of the Note of Mr. Forsyth, &c., communicating the determination of the President not to accede to the Conventions concluded between Great Britain and France, for the effectual suppression of the Slave Trade.

As the Secretary of State has declared, in his Note, that the opinion has been "definitely formed, not to make the United States a party to any Convention on the subject of the Slave Trade," the Undersigned refrains from entering into any discussion, whether the Government of His Britannic Majesty, and the Government of the King of the French, have comprehended the full force and effect of the Note of Mr. M'Lane, of the 24th March, 1834, and to invite explanation of the new provisions which the Secretary of State seems to think would be necessary before the United States could be parties to a Conventional Police, for the suppression of a disgraceful Traffic, which, to the honour of the United States, they were the first to denounce as Piracy.

The Undersigned sincerely regrets that the Governments of Great Britain and France must be deprived of the co-operation of the United States in the measures which they have adopted for the effectual suppression of the Slave Trade.

The Undersigned, &c.

(Signed)

CHAS. R. VAUGHAN.

The Honourable John Forsyth,

&c.

&c.

&c.

LONDON :

PRINTED BY W. CLOWES AND SONS, 14, CHARING CROSS.

FOR HIS MAJESTY'S STATIONERY OFFICE.

SLAVERY ABOLITION ACT.

ORDER IN COUNCIL, dated 31 July 1835, declaring that adequate and satisfactory Provision has been made by Law in the Islands and Colonies of *Antigua, Bermuda, Bahamas, St. Christopher, Dominica, Grenada, St. Lucia, Trinidad, Mauritius*, and the *Cape of Good Hope*, for giving effect to the Act 3 & 4 Will. IV. c. 73, for the ABOLITION of SLAVERY throughout the BRITISH COLONIES.

AT the Court of St. James's, the 31st of July 1835,

Present, The KING'S MOST EXCELLENT MAJESTY,

Lord President,
Lord Chamberlain,
Earl of Albemarle,
Lord John Russell,
Viscount Palmerston,
Viscount Melbourne,

Viscount Howick,
Lord Auckland,
Lord Glenelg,
Sir John Hobhouse, Bart.
The Chancellor of the Exchequer.

WHEREAS by an Act of Parliament made and passed in the 3d & 4th year of the reign of His present Majesty, intituled, "An Act for the abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," it is enacted that from and after the 1st day of August 1834, all persons who, in conformity with the laws now in force in the said colonies respectively, shall on or before the 1st day of August 1834, have been duly registered as slaves in any such colony, and who on the said 1st day of August 1834 shall be actually within any such colony, and who shall by such registries appear to be, on the said 1st day of August 1834, of the full age of six years or upwards, shall, by force and virtue of the said Act, and without the previous execution of any indenture of apprenticeship, or any other deed or instrument for that purpose, become and be apprenticed labourers: and whereas by the said Act it is further enacted, that, subject to the obligations imposed by the said Act, or to be imposed as therein-mentioned, upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834, shall be holden in slavery within any such British colony as aforesaid, shall, upon and from and after the said 1st day of August 1834, become and be, to all intents and purposes, freed and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be and is thereby utterly and for ever abolished and declared unlawful throughout the British colonies, plantations, and possessions abroad: and whereas by the said Act it is provided that the Lords Commissioners of His Majesty's Treasury may raise the sum of 20,000,000 *l.* sterling towards compensating the persons entitled to the services of the slaves to be manumitted and set free by virtue of the said Act, for the loss of such services:

And whereas in the said Act it is recited that various rules and regulations are or may be necessary for the purposes therein specified, and that such regulations could not, without great inconvenience, be made except by the respective governors, councils, and assemblies, or other local legislatures of the said respective colonies, or by His Majesty, with the advice of His Privy Council, in reference to those colonies to which the legislative authority of His Majesty in Council extends; and it is therefore by the said Act enacted and declared, that nothing in the said Act contained shall extend, or be construed to extend, to prevent the enactment by the

respective governors, councils, and assemblies, or by such other local legislatures as aforesaid, or by His Majesty, with the advice of His Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as might be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same, or any of them, into full and complete effect :

And whereas it is by the said Act further enacted that no part of the said sum of 20,000,000 *l.* sterling shall be applied, or shall be applicable to the purposes therein aforesaid, for the benefit of any person entitled to the services of any slave in any of the colonies therein aforesaid, unless an Order shall have been first made by His Majesty, with the advice of His Privy Council, declaring that adequate and satisfactory provision hath been made by law in such colony, for giving effect to the said Act, by such further and supplementary enactments as therein mentioned ; nor unless a copy of such Order in Council, duly certified by one of the clerks in ordinary of His Majesty's Privy Council, shall by the Lord President of the Council have been transmitted to the Lords Commissioners of His Majesty's Treasury, or to the Lord High Treasurer for the time being, for their or his guidance or information ; and every such Order shall be published three several times in the London Gazette, and shall be laid before both Houses of Parliament within six weeks next after the date thereof, if Parliament shall be then in Session, and if not, within six weeks from the then next ensuing Session of Parliament :

And whereas, in order to carry into effect the objects of the said recited Act, an Act hath been passed by the Governor, Council, and Assembly of the Island of Antigua, intituled, " An Act for relieving the Slave Population from the obligations imposed upon them by the recent Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled, ' An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves ;' " and an Act hath also been passed by the Governor, Council, and Assembly of the Island of Bermuda, intituled, " An Act for the Abolition of Slavery in these Islands, in consideration of Compensation ; " and an Act hath also been passed by the Lieutenant-governor, Council, and Assembly of the Bahama Islands, intituled, " An Act auxiliary to an Act of the Imperial Parliament, intituled ' An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves ;' " and also an Act intituled, " An Act to provide for the Payment of Salaries to certain Special Magistrates therein designated, and to repeal certain Clauses or Sections of an Act of the General Assembly, made and passed in the fourth year of His Majesty's reign, intituled, ' An Act auxiliary to an Act of the Imperial Parliament, intituled, ' An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves ;' " and also an Act intituled, " An Act to amend an Act of the General Assembly of these Islands, intituled, ' An Act auxiliary to an Act of the Imperial Parliament, intituled, ' An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves ;' " and certain Acts have also been passed by the Lieutenant-governor, Council, and Assembly of the Island of St. Christopher, respectively intituled, " An Act for the Abolition of Slavery in this Island, and for the establishment of of system of Apprenticeship for a limited time in lieu thereof ; " " An Act for prescribing the Powers and Duties of Special Magistrates ; " " An Act to divide Apprenticed Labourers into several Classes ; " " An Act to provide for Apprenticed Labourers during the term of their Apprenticeship ; " " An Act for prescribing the Duties and regulating the Conduct of Apprenticed Labourers within this Island ; " " An Act for prescribing the Duties to be performed by Employers towards their Apprenticed Labourers, and to enforce the performance of the same ; " " An Act to regulate the removal of predial Apprenticed Labourers from one Plantation to another ; to establish certain Rules to govern the Sale of the Services of all classes of Apprenticed Labourers, and the disposition thereof by Will, as well as to regulate the descent of the same in cases of Intestacy ; " " An Act for dividing this Island into Districts, and for establishing a sufficient Police within the same ; " " An Act to punish Apprenticed Labourers for Offences against the Public Welfare ; " and " An Act to regulate the dissolution of Apprenticeship

prenticeship by the voluntary Act of the Employer, and to compel such dissolution in cases where the Labourer is able and willing to purchase his or her discharge from Apprenticeship;" and also an Act intituled, "An Act to extend to the Island of Anguilla the several Acts passed by the Island of St. Christopher, pursuant to an Act of Parliament made in the 3d & 4th Will. IV. intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves, except as hereinafter provided;'" and an Act hath also been passed by the Lieutenant-governor, Council, and Assembly of the Island of Dominica, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the manumitted Slaves;" and an Act hath also been passed by the Lieutenant-governor, Council, and Assembly of the Island of Grenada, intituled, "An Act for carrying into effect the Provisions of an Act of the Imperial Parliament of Great Britain and Ireland passed in the 3d & 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies;" and also an Act, intituled, "An Act to amend an Act, intituled 'An Act for carrying into effect the Provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d & 4th years of the Reign of his present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies, and to make further provision for the purposes in the said Act mentioned;" and three several Orders have also been made by His Majesty in Council, for carrying into effect in the respective Colonies of St. Lucia, Trinidad and Mauritius, the provisions of the said recited Act of Parliament; and an Ordinance hath also been made and passed by the Governor and Legislative Council of the Cape of Good Hope, intituled "An Ordinance for giving due effect to the Provisions of an Act of Parliament passed in the 3d & 4th Year of the Reign of His Majesty King William the Fourth, intituled, 'An Act for the abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves:'"

And whereas it is considered by His Majesty in Council that adequate and satisfactory provision hath been made by law in the respective Islands and Colonies of Antigua, Bermuda, Bahamas, St. Christopher, Dominica, Grenada, St. Lucia, Trinidad, Mauritius, and the Cape of Good Hope, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments, as therein mentioned, according to the true intent and meaning of the said Act:

His Majesty is therefore pleased, by and with the advice of His Privy Council, to declare, and it is hereby declared, that adequate and satisfactory provision hath been made by law in the several and respective Islands and Colonies of Antigua, Bermuda, Bahamas, St. Christopher, Dominica, Grenada, St. Lucia, Trinidad, Mauritius, and the Cape of Good Hope, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein are mentioned; and the Right Honourable the Marquess of Lansdowne, the President of His Majesty's Privy Council, and the Right Honourable Lord Glenelg, one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein, as to them may respectively appertain.

(signed)

Wm. L. Bathurst.

SLAVERY ABOLITION ACT.

ORDER in COUNCIL, dated 31 July 1835,
issued under the SLAVERY ABOLITION ACT.

Ordered, by the House of Commons, to be Printed,
13 August 1835.

SLAVERY ABOLITION.

ORDERS IN COUNCIL for carrying into effect the
Statute 3 & 4 Will. IV. c. 73.

1.—JAMAICA.

ORDER IN COUNCIL, dated 19 March 1834, declaring that adequate and satisfactory Provision has been made by Law, in the Island of *Jamaica*, for giving effect to the Statute 3 & 4 Will. IV. for the Abolition of Slavery.

AT the Court at St. James's, 19th March 1834;
Present, The KING's most Excellent MAJESTY in Council.

WHEREAS by an Act of Parliament made and passed in the 3d & 4th year of the reign of His present Majesty, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for Compensating the Persons hitherto entitled to the Services of such Slaves," it is enacted, that from and after the 1st day of August 1834 all persons who, in conformity with the laws now in force in the said colonies respectively, shall on or before the 1st day of August 1834 have been duly registered as slaves in any such colony, and who on the said 1st day of August 1834 shall be actually within any such colony, and who shall by such registries appear to be, on the said 1st day of August 1834, of the full age of six years or upwards, shall by force and virtue of the said Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers: And whereas by the said Act it is further enacted, that, subject to the obligations imposed by the said Act, or to be imposed as therein mentioned upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within any such British colony as aforesaid, shall upon, and from and after the said 1st day of August 1834 become and be, to all intents and purposes, freed and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834 slavery shall be, and is thereby utterly and for ever abolished and declared unlawful throughout the British colonies, plantations and possessions abroad: And whereas by the said Act it is provided, that the Lords Commissioners of His Majesty's Treasury may raise the sum of 20,000,000*l.* sterling towards compensating the persons entitled to the services of the slaves to be manumitted and set free by virtue of the said Act, for the loss of such services.

And whereas in the said Act it is recited, that various rules and regulations are, or may be, necessary for the purposes therein specified, and that such regulations could not, without great inconvenience, be made, except by the respective governors, councils and assemblies or other local legislatures of the said respective colonies, or by His Majesty, with the advice of His Privy Council, in reference to those colonies to which the legislative authority of His Majesty in Council extends; and it is therefore by the said Act enacted and declared, that nothing in the said Act contained should extend, or be construed to extend, to prevent the enactment by the respective governors, councils and assemblies, or by such other local legislatures as aforesaid, or by His Majesty, with the advice of His Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as might be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same, or any of them, into full and complete effect.

And whereas it is by the said Act further enacted, that no part of the said sum of 20,000,000 *l.* sterling shall be applied, or shall be applicable to the purposes therein aforesaid, for the benefit of any person entitled to the services of any slave in any of the colonies therein aforesaid, unless an Order shall have been first made by His Majesty, with the advice of His Privy Council, declaring that adequate and satisfactory provision hath been made by law in such colony for giving effect to the said Act by such further and supplementary enactments as therein mentioned, nor unless a copy of such Order in Council, duly certified by one of the clerks in ordinary of His Majesty's Privy Council, shall, by the Lord President of the Council, have been transmitted to the Lords Commissioners of His Majesty's Treasury, or to the Lord High Treasurer for the time being, for their or his guidance or information: and every such Order shall be published three several times in the London Gazette, and shall be laid before both Houses of Parliament within six weeks next after the date thereof, if Parliament shall be then in Session, and if not, within six weeks from the then next ensuing Session of Parliament.

And whereas, in order to carry into effect the object of the said recited Act, an Act hath been passed by the Governor, Council and Assembly of the island of Jamaica, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves, and to declare the 52d Geo. 3, c. 155, in force in this Island."

And whereas by the said Act of the Governor, Council and Assembly of the island of Jamaica it is enacted, that from and after the 1st day of August 1834 all persons who in conformity with the laws in force in the said island, shall, on or before the said 1st day of August 1834, have been duly registered as slaves in the said island, and who on the said 1st day of August 1834 shall be actually within the said island, and who shall by such registries appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall, by force and virtue of the Act now in recital, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers.

And whereas by the said Act now in recital the same obligations are imposed on the said apprenticed labourers as are imposed upon them by the said Act of Parliament; and by the said Act now in recital it is further enacted, that, subject to the obligations imposed thereby upon such apprenticed labourers, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within the said island, shall, upon, and from and after the said 1st day of August 1834, become and be, to all intents and purposes, free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be freed from their birth, and that from and after the said 1st day of August 1834 slavery shall be and is thereby utterly and for ever abolished, and declared unlawful in the said island of Jamaica.

And whereas His Majesty, by and with the advice and consent of His Council, hath, by an Order in Council, bearing even date herewith, been pleased to confirm the said Act of the Governor, Council and Assembly of the island of Jamaica: and whereas the said Act of the Governor, Council and Assembly of the island of Jamaica doth contain divers further and supplementary enactments, establishing rules and regulations for the purposes hereinbefore mentioned to be specified in the said recited Act of Parliament, and it is considered by His Majesty in Council that adequate and satisfactory provision hath been made by law in the island of Jamaica for giving effect to the said recited Act of Parliament by such further and supplementary enactments as therein mentioned, according to the true intent and meaning of the said Act.

His Majesty is therefore pleased, by and with the advice of His Privy Council, to declare, and it is hereby declared, that adequate and satisfactory provision hath been made by law in the island of Jamaica for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein are mentioned; and the Right Honourable the Marquess of Lansdowne, the President of His Majesty's Privy Council, and the Right Honourable Edward G. S. Stanley, one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

(signed) *C. C. Greville.*

2.—BRITISH GUIANA.

ORDER IN COUNCIL, dated 5 June 1834, for giving effect to an Ordinance passed in the Colony of British *Guiana*, and for declaring that adequate satisfactory Provision hath been made in the said Colony for carrying into effect the Statute 3 & 4 Will. IV. c. 73, for the Abolition of Slavery.

AT the Court at St. James's, 5th June 1834;

Present, The KING's most Excellent MAJESTY in Council.

WHEREAS by an Act of Parliament, passed in the 3d & 4th year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," it is, amongst other things, enacted that no part of the sum of 20,000,000 *l.* sterling therein mentioned shall be applied, or shall be applicable to the purposes therein mentioned, for the benefit of any person now entitled to the services of any slave in any of the colonies therein mentioned, unless an order shall have been first made by His Majesty, with the advice of His Privy Council, declaring that adequate and satisfactory provision hath been made by law in such colony for giving effect to the said Act of Parliament by such further and supplementary enactments as therein mentioned: And whereas on the 8th day of March 1834, an Ordinance was enacted by the Lieutenant-Governor, by and with the advice and consent of the Court of Policy of the colony of British Guiana, intituled "An Ordinance for the Government and Regulation of Apprenticed Labourers:" and whereas the said Ordinance was so enacted with the design of giving effect to the said Act of Parliament by such further and supplementary enactments as in the said Act are mentioned, His Majesty doth therefore, by and with the advice of His Privy Council, and in pursuance and exercise of the power and authority in and by the said Act of Parliament in His Majesty in Council in that behalf vested, by this present Order declare, and it is hereby declared, that except in so far as certain parts of the said Ordinance are hereinafter disallowed, and except in so far as certain parts of the said Ordinance are hereinafter amended by the substitution of other provisions in lieu thereof, the said Ordinance is approved, confirmed and allowed, and finally enacted; and that by the said Ordinance, so in part disallowed and so amended as aforesaid, adequate and satisfactory provision hath been made in British Guiana for giving effect to the said Act of Parliament by such further and supplementary enactments as therein are mentioned and required.

And whereas it is by the said Ordinance, amongst other things, enacted, that the colony of British Guiana shall be divided into not less than 14 judicial districts, now it is hereby ordered, that for the word Fourteen, as occurring in the said enactment, the word Twelve shall be substituted; and that the said Ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the word Twelve had been, and the word Fourteen had not been employed in the said enactment.

And whereas certain Schedules marked respectively with the letters (P) and (Q) are subjoined to and referred to in the said Ordinance, now it is hereby ordered, that for the said Schedule marked with the letter (P) shall be substituted the Schedule hereunto annexed marked with the letter (X), and that for the said Schedule marked with the letter (Q) shall be substituted the Schedule hereunto annexed marked with the letter (Y); and that the said Ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the said Schedules marked (X) and (Y) had been, and the said Schedules marked (P) and (Q) had not been subjoined to and referred to in the said Ordinance.

And whereas it is by the said Ordinance, amongst other things, enacted that the privates in each settlement therein mentioned shall receive pay at the rate of per diem, and the serjeant shall be paid at the rate of per diem, now therefore the said last-recited enactment is hereby disallowed; and it is hereby ordered that the pay of the serjeants and privates of each police settlement within the said colony shall, from time to time, be determined by and according to such Ordinances as shall, from time to time, be for that purpose enacted by the officer administering the government of the said colony, with the advice

and consent of the Court of Policy thereof, such Ordinances being so made subject to His Majesty's approbation or disallowance, as in other cases.

And whereas it is, in and by the said Ordinance, amongst other things, enacted, that every such employer or manager of slaves, as therein mentioned, shall, at the time and in the manner therein mentioned, deliver a certain Schedule marked with the letter (O): and whereas in the said enactment the word Slaves hath by inadvertence been employed instead of the words Apprenticed Labourers, it is therefore further ordered, that for the word Slaves, as occurring in the said enactment, the words Apprenticed Labourers shall be substituted; and that the said Ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the words "Apprenticed Labourers" had been, and as if the word "Slaves" had not been employed in the said enactment.

And whereas it is by the said Ordinance, amongst other things, enacted that every non-prædial apprenticed labourer shall be bound and obliged to work and labour 10 hours in each and every day in the year, with such exceptions as therein mentioned, in the service and for the benefit of his or her employer; and it is thereby declared, that a day's labour of a non-prædial apprenticed labourer shall be such a portion of specified work as can be performed by each non-prædial apprenticed labourer, by assiduous and steady industry, during the space of 10 hours; Now it is further ordered, that for the word "Ten," as twice occurring in the said enactment, the word "Nine" shall be substituted; and that the said Ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the word "Nine" had been, and as if the word "Ten" had not been so twice employed in the said enactment.

And whereas it is by the said Ordinance amongst other things enacted, that it shall and may be lawful for such district sessions as therein mentioned to adjudge such extra labour as therein mentioned, if necessary, to be performed after the expiration of such apprenticeship as therein mentioned, that if such labour shall be adjudged to be performed after the expiration of the apprenticeship, then it shall be lawful to adjudge such 15 hours per week, as therein mentioned, to be performed in addition to the number of seven hours and a half per day, to be reckoned a part of the number of hours adjudged to be performed, until the whole shall in like manner have been completed; Now it is hereby ordered, that so much of the said Ordinance as last aforesaid, shall be, and the same is hereby disallowed.

And whereas it is by the said Ordinance enacted, that if any employer of any apprenticed labourer shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall, by way of punishment, commit any assault upon his person, such employer shall incur a penalty, to be imposed by the district session of special justices, not exceeding 20*l.*, with imprisonment for any time not exceeding one month, in default of the payment of such fine; and that in any case as last aforesaid it shall be competent to such district sessions to award the whole or any part of such penalty to the apprenticed labourer injured, as and for damages for such assault; and that it shall also be competent to such district sessions, if the case be of an aggravated nature, if it shall seem meet, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence before either of the Supreme Courts of the colony having jurisdiction in the premises: And whereas doubts might arise whether, consistently with the provisions last aforesaid, it would be competent to any such apprenticed labourer as aforesaid to maintain any civil suit or action against such his or her employer, for or in respect of any such injury as aforesaid; and doubts might also arise whether, consistently with such provisions, any prosecution could be commenced in either of the Supreme Courts aforesaid, against any such employer as aforesaid, for any such offence as aforesaid, unless the offender were committed to take his trial for such offence by such district sessions; now, for the removal of any such doubts, it is further ordered and declared, that it is and shall be competent for any such labourer as aforesaid to maintain any civil suit or action against his or her employer for any such whipping, beating, imprisonment, confinement in the stocks, maltreatment or assault as aforesaid, and that any such employer shall for any such offence be subject and liable to be prosecuted, tried, convicted and punished before either of the Supreme Courts of the said colony having jurisdiction in the premises, although he or she may not have been committed to take his or her trial for such offence by such district sessions, anything in the said Ordinance to the contrary contained notwithstanding: provided nevertheless, and

it is further ordered, that when and so often as any such employer shall, upon the complaint of any such apprenticed labourer as aforesaid, have been sentenced by any such district sessions to any such penalty as aforesaid, or shall by such district sessions have been committed to take his or her trial for any such offence as aforesaid, it shall not be competent for any such labourer as aforesaid to maintain any such civil suit or action as aforesaid for or in respect of the same act, matter or thing.

And whereas it is by the said Ordinance, amongst other things, enacted, that every apprenticed labourer found beyond the limits of the district to which he or she belongs, or in which he or she may be employed, except in his or her way to or from some place of public worship on Sundays, and not having with him or her a written pass for that purpose from his or her employer, or from a special justice of such district, shall be liable to be apprehended and detained, and shall, on proof and conviction that he or she shall have left his or her district without a pass, be adjudged a vagabond and punished accordingly; provided, however, that it shall be competent to every apprenticed labourer, of his or her own free will, and without a pass, to attend during his or her own time any market of the district in which he or she may reside: Be it therefore, and it is hereby ordered, that so much as last aforesaid of the said Ordinance shall be and the same is hereby disallowed.

And it is further ordered, that if any apprenticed labourer shall be found at any place distant more than five miles from his or her place of residence, not having with him or her a written pass for that purpose from his or her employer, or from some one or more of the special justices of the district to which he or she belongs, such apprenticed labourer shall be liable to be apprehended and taken before any special justice, and upon proof before such justice made of the facts aforesaid, such apprenticed labourer shall be adjudged a vagabond and punished accordingly; provided nevertheless, that nothing herein, or in the said Ordinance contained, shall subject to any such punishment any apprenticed labourer absenting himself or herself without such pass as aforesaid, at any distance within the said colony from his or her residence, during any time in which he or she may not be bound to labour in the service of his or her employer, if such apprenticed labourer shall be so absent in the prosecution of his or her lawful business, or in attendance upon or in the way to or from any place of public worship, and shall establish to the satisfaction of any special justice before whom he or she may be so brought that his or her absence took place during such time only, and was occasioned only by any such cause only as aforesaid.

And whereas it is by the said Ordinance, amongst other things, enacted, that the right or interest of any employer or employers to and in the services of any such apprenticed labourer aforesaid shall pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to the provisions of the said Act of Parliament: and whereas doubts might arise whether such right or interest would also be liable to be seized and taken in execution and sold under process of law in satisfaction of any sentence or judgment of any court of competent jurisdiction; now, for the removal of such doubts, Be it further enacted and declared, that such right and interest as aforesaid is and shall be liable to be seized and taken in execution and sold under process of law, in satisfaction of any sentence or judgment of any court of competent jurisdiction; provided always, that no such apprenticed labourer shall under and by virtue of any such seizure or sale in execution be liable to be dealt with in any manner prohibited by the said Act of Parliament or Ordinance, or deprived or be debarred from the exercise of any right by the said Act of Parliament or Ordinance, or by this present Order, in such apprenticed labourer vested.

And the Right Honourable Thomas Spring Rice, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) C. C. Greville.

SCHEDULES of Allowances of Food, Clothing and Household Furniture to be given to
Slaves in t^he Colony of *British Guiana*.

(X.)

WEEKLY ALLOWANCE OF FOOD.

Description of Persons.	Salt Provisions.	Plantains.	Or other farinaceous food in lieu of Plantains.
CLASS I. Males or Females above the age of 12 years.	-- Three pounds of salt fish (cod), or four pounds of herrings, mackerel or shads, or two pounds of salt beef or pork, or four pounds of fresh beef or pork, with half a pint of salt.	-- Two bunches of full-grown plantains, weighing at least 35 pounds each, if less, the deficiency to be made up; that is to say, the allowance not to be less than 70 pounds weight, without refer- ence to bunches.	-- Twenty-five pounds of yams or potatoes, or 20 pounds of ed- does or tanyahs, or 10 pints of wheat flour, or 10 pints of Indian corn meal, or 10 pints of rice.
CLASS II. Boys and Girls under the age of 12 years.	-- One-half of the above.	-- One-half of the above.	-- One-half of the above.

(Y.)

YEARLY ALLOWANCE OF CLOTHING.

	MALES.	FEMALES.
Felt hat - - - - -	1	—
Blue cloth jacket (lined) - - - - -	1	—
Blue cloth trowsers - - - - -	1	—
Duck trowsers - - - - -	1	—
Linen check shirt - - - - -	1	—
Red woollen shirt - - - - -	1	—
Woollen cap - - - - -	1	—
Salempores laks - - - - -	2	—
Knife - - - - -	1	—
Razor - - - - -	1	—
Blanket - - - - -	1	—
Felt Hat - - - - -	—	1
Handkerchief - - - - -	—	2
Woollen wrapper - - - - -	—	1
Pennistone petticoat - - - - -	—	1
Check shift (five yards) - - - - -	—	1
Salempores petticoat (four yards) - - - - -	—	1
Osnaberg petticoat (four yards) - - - - -	—	1
Blanket - - - - -	—	1
Scissars - - - - -	—	1 pair.

Children from one to five years old to have each three check shirts, one blanket and one woollen cap. Infants, one piece of calico and five yards of check each.

(C.)

ALLOWANCE OF HOUSEHOLD FURNITURE.

To each dwelling-house, one table for meals. To each of the persons in Class I. of Schedule (A.) a saucepan for cooking, yearly. To each family, an iron pot for cooking, yearly.

SLAVERY ABOLITION.

ORDERS IN COUNCIL

Issued under Act 3 & 4 Will. IV. c. 73, for the

ABOLITION of SLAVERY.

*Ordered, by The House of Commons, to be Printed,
16 March 1835.*

SLAVERY ABOLITION ACT.

ORDER IN COUNCIL, declaring that adequate and satisfactory Provision hath been made by Law in the British Settlements at *Honduras*, for giving effect to the Act of Parliament for the ABOLITION of SLAVERY.

AT the Court at St. James's, the 12th day of August 1835,
Present, The KING'S MOST EXCELLENT MAJESTY in Council.

WHEREAS by a certain Act of Parliament, passed in the 3d & 4th year of His Majesty's reign, intituled, "An Act for the abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the Services of such Slaves," it is amongst other things recited, that it is necessary that various rules and regulations should be framed and established for ascertaining, with reference to each apprenticed labourer within the said colonies respectively, whether he or she belongs to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which, and the solemnities with which the voluntary discharge of any apprenticed labourer from such his or her apprenticeship may be effected, and for prescribing the form and manner in which, and the solemnities with which the purchase by any such apprenticed labourer of his or her discharge from such apprenticeship, without, or in opposition, if necessary, to the consent of the person or persons entitled to his or her services, shall be effected; and how the necessary appraisalment of the future value of such services shall be made; and how, and to whom, the amount of such appraisalment shall in each case be paid and applied; and in what manner and form, and by whom, the discharge from any such apprenticeship shall thereupon be given, executed and recorded: and that it is also necessary, for the preservation of peace throughout the said colonies, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers; and for ensuring the punctual discharge of the services due by them to their respective employers; and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer; and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter, for any hired service during the time in which he or she may not be bound to labour for his or her employer; and for the prevention and punishment of insolence and insubordination, on the part of any such apprenticed labourer, towards their employers; and for the prevention or punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring, or tending to the injury, of the property of any such employer; and for the suppression and punishment of any riot or combined resistance to the laws on the part of any such apprenticed labourers; and for preventing the escape of any such apprenticed labourers, during their term of apprenticeship, from the colonies to which they may respectively belong: and that it will also be necessary, for the protection of such apprenticed labourers as aforesaid, that various regulations should be framed and established in the said respective colonies, for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they are, by the said Act, declared entitled to receive; and for regulating the amount and quality of all such articles in cases where the laws at present existing in any such colony may not, in the case of slaves, have made any regulation, or any adequate regulation, for that purpose; and that it is also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur, respecting the quantity or the quality of the supplies

supplies so to be furnished, or respecting the periods for the delivery of the same; and that it is necessary, in those cases in which the food of any such prædial apprenticed labourers as aforesaid may, either wholly or in part, be raised by themselves, by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made for the cultivation of such grounds from the annual time during which such prædial apprenticed labourers are hereinbefore declared liable to labour; and that it may also be necessary, by such regulations as aforesaid, to secure to the said prædial apprenticed labourers the enjoyment, for their own benefit, of that portion of their time during which they are not hereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time during which such prædial apprenticed labourers are hereby required to labour in the service of such their respective employers; and that it is also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer, without his or her free consent to undertake the same; but that it may be necessary, by such regulations in certain cases, to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate, in the distribution and apportionment amongst the whole body of such labourers of any task work, which the majority of such body shall be willing and desirous collectively to undertake; and that it is also necessary that regulations should be made respecting any voluntary contracts, into which any apprenticed labourers may enter with their respective employers, or with any other person, for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers, and of the person or persons engaging for their employment and hire; and that it is also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice, or other wrong or injury which may be done to, or inflicted upon, any such apprenticed labourers by the persons entitled to their services; and that it is also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as aforesaid, shall be made on behalf of such children as aforesaid, and respecting the registering and preservation of all such indentures; and that it is also necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense in the discharge by the justices of the peace, holding such special commissions as in the said Act mentioned, of the jurisdiction and authorities thereby committed to them, and for enabling such justices to decide in a summary way, such questions as may be brought before them in that capacity, and for the division of the said respective colonies in districts, for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts; and that it is also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties; and that such regulations as aforesaid could not, without great inconvenience, be made except by the respective Governors, Councils and Assemblies, or other local Legislatures of the said respective colonies, or by His Majesty, with the advice of His Privy Council, in reference to those colonies to which the Legislative authority of His Majesty in Council extends:

It is therefore enacted and declared, in and by the said Act, that nothing therein contained extends, or shall be construed to extend, to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local legislatures as aforesaid, or by His Majesty, with the advice of His Privy Council, of any such Acts of General Assembly or Ordinances, or Orders in Council, as may be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same, or any of them, into full and complete effect: provided, nevertheless, and it is thereby enacted, that it shall not be lawful for any such Governor, Council and Assembly, or for any such local legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinance, or Orders in Council as aforesaid, to make or establish any enactment, regulation, provision, rule or order which shall be in anywise repugnant or contradictory to the said recited Act, or any part thereof, but that every such enactment, regula-

tion,

tion, provision, rule or order shall be, and is thereby declared to be, absolutely null and void and of no effect :

And whereas it is by the said Act further enacted, that all laws made by His Majesty for the government of His Majesty's subjects in Honduras shall, for the purposes of the said Act, be as valid and effectual as any laws made by His Majesty in Council for the government of any colonies subject to the legislative authority of His Majesty in Council are or can be : and whereas, in pursuance of the said Act, His Majesty did, on the 5th day of June 1834, by the advice of His Privy Council, make a certain Order in Council for carrying the said Act into effect within the Island of Trinidad : and whereas by a certain other Order of His Majesty in Council, also dated on the 5th day of June 1834, after reciting that it was expedient that the regulations for the government of apprenticed labourers should, throughout His Majesty's possessions to which the said Act applies, as nearly as might be, and having regard to the variety of local circumstances in such several possessions, be of one uniform tenour ; and that the state and circumstances of society in the said settlement of Honduras were, in many respects, peculiar, and differed essentially from the state and circumstances of society as existing in the said Island of Trinidad, and other His Majesty's colonies in the West Indies ; and that, by reason of the variety and minuteness of such distinctions, it was necessary that provision should be made for the adaptation of the said Order in Council to the case of Honduras by some local authority, it was, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the said settlements of Honduras, ordered by His Majesty, by and with the advice of His Privy Council, that the said Order in Council for the said Island of Trinidad should, save as hereinafter mentioned, extend to, and be in force within, His Majesty's said settlement at Honduras, upon, from, and after the 1st day of August 1834 : provided nevertheless, and it was further ordered, that it should be lawful for the Superintendent for the time being of the said settlements, by any proclamation or proclamations to be by him from time to time for that purpose issued, to suspend any part or parts of the said Order which he should consider inapplicable to the state and circumstances of society in the said settlements, and by any such proclamation or proclamations, to adapt the said Order in Council, or any part or parts thereof, to the state and circumstances of society in the said settlements : and it was thereby provided, that no such proclamation should in any respect be repugnant to, or inconsistent with, anything in the said Act of Parliament contained : and it was further ordered, that the said Superintendent should transmit to His Majesty, or to one of His Principal Secretaries of State, copies of any such proclamations, for His Majesty's approbation or disallowance ; and it was thereby also provided, that no such proclamation should, by the terms thereof, be made to operate and take effect, or to be binding upon His Majesty's subjects, within the said settlements, until the same should first have been approved by His Majesty, save only in cases in which it should appear to the said Superintendent, for the time being, that the delay incident to obtaining His Majesty's approbation of any such proclamation would subject His Majesty's subjects in the said settlements to serious inconvenience, in which cases any such proclamation might, by the terms thereof, be made to operate and take effect and to be binding upon His Majesty's subjects aforesaid, either from the day of the date thereof or from any such other time as should be therein for the purpose appointed, until His Majesty's pleasure should be known :

And whereas the said Superintendent of the British settlements at Honduras, in pursuance of the powers in him in that behalf vested by the last recited Order in Council, hath made and established certain regulations for adapting to the state and circumstances of those settlements, the provisions of the Order made by His Majesty in Council for giving effect to the said Act for the abolition of slavery within the Colony of Trinidad :

And whereas His Majesty, having this day taken into consideration the regulations so made as aforesaid by the said Superintendent, hath been pleased to approve thereof : now it is hereby ordered by His Majesty that the said regulations shall be, and the same are hereby confirmed and allowed :

And whereas it is by the said Act of Parliament, amongst other things, enacted, that no part of the sum of 20,000,000*l.* sterling shall be applied or be applicable to the purposes in the said Act mentioned, for the benefit of any person then entitled to the services of any slave in any of the colonies in the said Act mentioned, unless an Order shall have been first made by His Majesty, with the advice of His Privy

Council, declaring that adequate and satisfactory provision hath been made by law in such colony, for giving effect to the said Act, by such further and supplementary enactments as aforesaid, nor unless a copy of such Order in Council, duly certified by one of the Clerks in Ordinary of His Majesty's Privy Council, shall, by the Lord President of the Council, have been transmitted to the Lords Commissioners of His Majesty's Treasury, or to the Lord High Treasurer for the time being : now, therefore, in further pursuance and exercise of the powers in His Majesty in Council, by the said recited Act in that behalf vested, His Majesty, with the advice of His Privy Council, doth declare, and it is hereby declared, that adequate and satisfactory provision hath been made by law in the said settlements at Honduras, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein are mentioned :

And the Lord President of the Council, and the Right Honourable the Lord Glenelg, one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

C. C. Greville.

SLAVERY ABOLITION ACT.

(HONDURAS.)

ORDER in COUNCIL, dated 12 August 1835,
issued under the SLAVERY ABOLITION ACT.

*Ordered, by The House of Commons, to be Printed,
24 August 1835.*

SLAVERY ABOLITION PROCEEDINGS.

RETURN to an Address of the Honourable The House of Commons,
dated 12th March 1835;—for,

COPY of DESPATCH forwarded to the GOVERNORS of the *West India*
COLONIES, respecting FUGITIVE SLAVES.

Colonial Department, }
Downing-street, 22 May 1835. }

G. GREY.

COPY of a CIRCULAR DESPATCH from Mr. Secretary *Spring Rice* to the GOVERNORS of all the *West India Colonies*, including the *Bahamas* and *Bermuda*, to the *Cape of Good Hope*, and to the *Mauritius*; dated Downing-street, 4th November 1834.

SIR,

THE much agitated question which respects the reception and disposal in the British Colonies, of fugitive slaves seeking refuge there from the dominions of Foreign States, has acquired a new aspect and additional importance from the recent abolition of slavery throughout His Majesty's dominions. It is of great moment that the local Governments of all His Majesty's settlements should act on this subject on the same principles; and that the rules by which they are to be guided should be well considered and distinctly laid down. It is under that impression that I proceed to explain to yourself (in common with the officers administering the Government of the rest of His Majesty's Colonies in which the question can arise) the course of conduct which it will be your and their duty to observe on any such occasion.

The abolition of slavery throughout His Majesty's dominions has, in one respect, materially changed the legal condition of foreign slaves taking refuge in a British Colony; while in other respects that condition remains unaltered. The restitution of such fugitives to the country whence their escape had been effected, was forbidden by the Act for the abolition of the foreign slave trade, passed in the year 1806, and which Act was uninterruptedly kept in force to the present time. But the slave-trade abolition laws did not emancipate such fugitives from slavery; nor did those Acts prevent the assertion and exercise by the foreign owner of his proprietary right over the fugitive, even within the British Colonies. I know of no law which previously to the 1st of August last, would have prevented a French planter, in Guadeloupe, for example, from holding in slavery and employing as a slave, in Dominica, a fugitive who had deserted the former for the latter island. Or, if the Slave Registry Act would have created such an impediment, there were few, if any, British Colonies in which the Governor had not the power to relieve an applicant from the undue pressure of those regulations. Practically, however, this claim appears never to have been asserted. The fugitive slave was regarded as a free man, merely because no claim was preferred to his services, unless on the impracticable condition of his being remitted to his former domicile.

But from the 1st of August last, slavery being abolished, became utterly unlawful throughout the possessions of the British Crown; and the fugitive slave in the British West Indies for the first time stood in a position precisely identical with that which he would have occupied if he had found his way to His Majesty's European dominions. But even at present the servile character is rather locally

suspended than wholly abolished. The relation between his owner and himself is still capable of being renewed. But it is a relation not only unknown to, but forbidden by the laws of this empire; and in no part of the empire, whether metropolitan or colonial, can the rights incident to it any longer be enforced. The fugitive, therefore, whatever may be his obligations, or whatever the rights of others over him, in foreign countries, must in the King's dominions be henceforth regarded and dealt with as a freeman; because the universal law of those dominions requires and entitles us to consider every inhabitant of them as free.

But the great change of law which took place on the 1st August last did not alter in any respect whatever the distinction which had previously subsisted, as well in the British Colonies as in the Mother Country, between the King's natural-born subjects and aliens. Foreign fugitive slaves continue to belong, as they formerly belonged, to the latter of those classes.

The abolition of slavery on the 1st of August last did not diminish, but may perhaps be said to have increased both the number and the strength of the motives which should induce His Majesty's Government to deprecate the introduction of numbers of fugitive slaves into the British Colonies. The increased force of the temptation, derived from the improved condition of the apprenticed labourers, may increase also the number of fugitive slaves; as their numbers increase, so may insubordination and discontent be diffused among our own emancipated population. The risks of the passage from foreign to British Colonies, and the fearful waste of human life consequent upon them, may thus be multiplied and continued. A necessity for rigorous measures of coercion in the foreign settlements may be thus enhanced, engendering there a spirit of distrust and alarm, with consequent severity of treatment; and unless firmly checked, a foundation may be laid for unfriendly discussions and relations between this kingdom and foreign countries.

The abolition of slavery on the 1st of August last did not impose the duty, or confer on us a right of furthering the same result in foreign countries, by promoting the desertion of their slaves, or by any other indirect methods. After the lapse of many years the Parliament and people of this realm, aided by and associated in this great work with the Legislatures of the British Colonies, have established the principle that domestic slavery is a moral and social evil, which, as a matter of wise policy, as well as of moral and social duty, it became necessary to extinguish. But we have no claim to demand the adoption of that principle by other nations. On the contrary, we must respect in them that proprietary right which we have so long exerted and exercised ourselves. The moral influence of our example will not be without a salutary, and, as I trust, an early effect upon the slave codes of other States. In the meantime, justice and humanity concur in requiring us rather to discourage than to promote the resort of foreign fugitive slaves to the shores of our own colonies.

From these general principles may, I think, reasonably be deduced eight distinct practical consequences, which with a view to precision I proceed to enumerate in order:

First, The intrusion into a British colony of foreign fugitive slaves should be made punishable as a misdemeanor, by imprisonment with hard labour. The sympathy we may feel for the individual ought not to render us insensible or indifferent to the dangerous tendency of his conduct. The steady enforcement of such penalties would go far to repress the practice altogether.

Secondly, The mere punishment of the offence is not, however, all that the case requires. Provision must also be made for the removal of the offender. As an alien, he has no right to fix his abode in the King's dominions. He must therefore be warned to depart; and if unable or unwilling to obey, he must be forcibly placed on board the first vessel which may be sailing to any foreign country where slavery does not prevail.

Thirdly, To send back such fugitives to the country whence they may have come, would be a direct infraction of the laws for the abolition of the slave trade. To transfer them to any English possession, such as Sierra Leone or Trinidad, would be to subject this country to the imputation of being governed by selfish motives, and of seeking to recruit the defective population of our colonies at the expense of our neighbours.

Fourthly,

Fourthly, But the preceding rules have no application to the case of slaves thrown by shipwreck or accident on the shores of the British colony. The act being involuntary is of course not criminal. Neither is it of evil example. There is therefore no motive for removing such persons as aliens whose residence should be prohibited. They must be dealt with in the manner pointed out in the statute 5 Geo. 4th, c. 113, s. 23.

Fifthly, The fugitive may deny that he was a slave in the colony whence he came, either *de jure* or *de facto*; and may allege that he was living there as a freeman. To obtain his conviction of the offence of an unlawful intrusion into the colony it would be necessary that this allegation should be disproved, which might often be impracticable. Though the fact might be otherwise, yet as there might, in the absence of actual proof, be the strongest grounds of suspicion, such persons should when so suspected be removed as aliens, and should be required to procure securities for their departure and intermediate good conduct; in default of which they should be committed to close custody, until order could be taken for their removal.

Sixthly, Fugitive slaves may allege in their own defence, that they had been driven to make their escape by intolerable ill-usage and oppression. In such cases, if the fact should be fully established to your own conviction, no prosecution should take place. But even in such cases, the first convenient opportunity should be taken of removing the fugitive as an alien.

Seventhly, Cases may occur of fugitives who, acknowledging that they had escaped from slavery, may yet declare that such slavery had been unlawful. On sufficient proof of the truth of such a defence, there would certainly be no crime to punish. Yet even in that case, it would be expedient that the first convenient opportunity of removing the fugitive as an alien should be taken.

Eighthly, But in the class last mentioned may be found some persons alleging that their unlawful slavery in the country whence they had escaped, was the consequence of the infringement of the laws in force in that country for the abolition of the slave trade; or in the absence of any positive allegation to that effect, the language or appearance of the fugitives might excite and justify the suspicion that such had been the case. On any such occasion, the fugitives would have an irresistible claim to our hospitality. They should neither be punished as offenders nor removed as aliens; but protected under the section of the Slave-trade Abolition Act to which I have already referred. Men in whose persons the law of the whole civilized world, and the treaties subsisting with this kingdom, have been violated, could not be permitted to sue in vain for redress to the Government of any part of His Majesty's dominions.

You will communicate this despatch to the Legislature of the colony of conveying to them the desire of His Majesty's Government that to whatever extent the law at present in force there may be inadequate to give effect to these views, such further provision may be made by law as may be necessary for the purpose.

I have, &c.

(signed) T. Spring Rice.

SLAVERY ABOLITION PROCEEDINGS.

COPY of DESPATCH forwarded to the GOVERNORS
of the *West India* COLONIES, respecting FUGITIVE
SLAVES.

(*Mr. W. E. Gladstone.*)

Ordered, by The House of Commons, to be Printed,
1 June 1835.

SLAVERY ABOLITION PROCEEDINGS.

RETURN to an Order of the Honourable The House of Commons,
dated 12 March 1835;—for,

COPIES of all the POPULATION RETURNS received from the SLAVE COLONIES
since the last were printed, up to the present Time.

Colonial Department, Downing-street, }
24 July 1835.

G. Grey.

AN ACCOUNT of the Number of SLAVES contained in the several Population
Returns received in the COLONIAL REGISTRY OFFICE, since the Date of
the last Return laid before The House of Commons, and ordered to be printed
20 August 1833, Paper, No. 700.

	DATE of RETURN.	NUMBER of SLAVES.
Anguilla - - - - -	Year 1834	2,375
Barbadoes - - - - -	- 1834	82,807
Berbice - - - - -	- 1834	19,359
Bermuda - - - - -	- 1834	4,203
Caymanas - - - - -	- 1834	985
Dominica - - - - -	- 1829	14,824
Ditto - - - - -	- 1832	14,384
Grenada - - - - -	- 1832	23,411
Ditto - - - - -	- 1833	23,536
Honduras - - - - -	- 1834	1,920
Jamaica - - - - -	- 1832	310,707
Montserrat - - - - -	- 1831	6,355
Nevis - - - - -	- 1834	8,722
St. Christopher - - - - -	- 1834	18,285
Tobago - - - - -	- 1833	11,767
Ditto - - - - -	- 1834	11,621
Trinidad - - - - -	- 1831	22,359
Virgin Islands - - - - -	- 1831	5,108
Ditto - - - - -	- 1834	5,192
Mauritius - - - - -	- 1832	63,164
Seychelles - - - - -	- 1830	5,449
Cape of Good Hope - - - - -	- 1833	38,427

2 July 1835.

Thomas Amyot, Registrar.

SLAVERY ABOLITION PROCEEDINGS.

RETURN of the Number of SLAVES contained in
the several Population Returns received since the
Date of last Return (in continuation of Sessional
Paper, No. 700, Sess. 1833.)

(*Mr. W. E. Gladstone.*)

*Ordered, by The House of Commons, to be Printed,
24 July 1835.*

SLAVERY ABOLITION PROCEEDINGS.

RETURN to an Address of the Honourable The House of Commons,
dated 12 March 1835;—for,

A RETURN of LOCAL MAGISTRATES who have been appointed SPECIAL MAGISTRATES; the time of their Appointment, and by whom appointed; and whether stated to be Planters, Attornies, or in any way connected with Colonial Property.

COLONY.	NAME.	DATE of APPOINTMENT.	By whom APPOINTED.	Whether Planter, Attorney, or connected with Colonial Property.
JAMAICA. - - -	No Local Magistrates appointed Special Magistrates.			
BAHAMAS (15) -	Hield, William - -	1 Aug. 1834	Lieut. Governor	Proprietor.
	Gibbs, jun. George - -	"	"	Planter and proprietor.
	Munro, James - -	"	"	ditto - - ditto.
	Butler, Norman W. H. -	"	"	ditto - - ditto.
	Williams, H. M. - -	"	"	ditto - - ditto.
	Smith, William - -	"	"	Unconnected with Colonial property.
	Wildgoos, James A. -	"	"	Planter and proprietor.
	Leers, David - -	"	"	ditto - - ditto.
	Thompson, Thomas -	"	"	ditto - - ditto.
	Rahruing, Thos. M. -	"	"	ditto - - ditto.
	Smith, Thomas - -	"	"	ditto - - ditto.
	Saunders, Joseph - -	"	"	ditto - - ditto.
	Russell, Thomas - -	"	"	ditto - - ditto.
	Smith, Michael W. - -	"	"	ditto - - ditto.
	Sands, Henry D. - -	21 Nov. 1834	"	Unconnected with Colonial property.
BARBADOES. - -	No Local Magistrates appointed Special Magistrates.			
ST. VINCENT (36)	Cumming, Alexander -	1 Aug. 1834	Lieut. Governor	Planter and Member of Assembly.
	Crichton, Patrick - -	"	"	Attorney.
	Sutherland, James - -	"	"	Planter and Member of Assembly.
	Browne, Rev. T. A. -	"	"	Planter.
	M'Leod, Alexander -	"	"	Attorney.
	Hackshaw, Henry - -	"	"	Planter and Member of Council.
	Melville, John - -	"	"	Physician.
	Ottley, F ^k - -	"	"	Planter.
	Dakins, T. H. - -	"	"	Physician and Attorney.
	Grant, G. C. - -	"	"	Planter and Member of Assembly.
	Grant, H. M. - -	"	"	Attorney.
	Symon, James - -	"	"	Planter.
	M'Barnet, Alexander -	"	"	Planter and Member of Council.
	Choppin, Thomas - -	"	"	ditto - - ditto.
	Munro, Gilbert - -	"	"	ditto and Member of Assembly.
	Struth, Rev. N ^l - -	"	"	Planter.
	Dalzell, R ^t - -	"	"	Planter and Member of Assembly
	Robertson, Richard -	"	"	ditto and Member of Council.
	Brown, J. W. - -	"	"	Merchant and ditto.
	Shephard, Charles -	"	"	Barrister and ditto.
	Stowe, William - -	"	"	Planter and ditto.
	Ross, John P. - -	"	"	ditto and Speaker of Assembly.
	Sutherland, D ⁿ F. - -	"	"	Planter and Merchant and Mem- ber of Assembly.
	Punnett, Christopher -	"	"	Planter and Member of Council.
	Dickinson, W. P. - -	"	"	Planter.
	Scott, W. R. - -	"	"	ditto.
	Wallace, William - -	"	"	ditto.
	Grant, W. G. M. - -	"	"	Manager.
	Kirby, Charles - -	"	"	Planter.
	M'Fee, John - -	"	"	Attorney.
	Rees, Richard - -	"	"	Planter and Member of Assembly.
	Jackson, B ^l - -	"	"	ditto - - ditto.
	Choppin, James - -	"	"	Physician.
	Gordon, John - -	"	"	Attorney.
	Hunt, William - -	"	"	Physician.
	Harrison, John - -	"	"	Attorney.
GRENADA (27) -	Wells, John - -	6 Aug. 1834	"	Attorney and Manager.
	Checkly, F. Y. - -	"	"	Resident Proprietor.
	Cruikshank, George -	"	"	Manager.
	Jemmett, F ^s - -	"	"	Attorney and Manager.
	Todd, John - -	"	"	Merchant and Proprietor.
	Woodcock, Thomas -	"	"	Manager.
	Smith, Richard O. - -	"	"	Resident Proprietor.
	Forrester, John - -	"	"	Manager.
	M'Millan, D. - -	"	"	ditto.
	Home, J. F. - -	"	"	Resident Proprietor.
	Leid, James - -	"	"	Attorney and Manager.

COLONY.	NAME.	DATE of APPOINTMENT.	By whom APPOINTED.	Whether Planter, Attorney, or connected with Colonial Property.
GRENADA— <i>cont</i> ^d .	Richard, Alexander - -	6 August 1834	Lieut. Governor	Physician.
	Davis, Thomas - -	"	"	Attorney and Manager.
	Blair, Duncan - -	"	"	Physician.
	Polson, Daniel - -	"	"	Manager.
	Browne, Thomas - -	"	"	Attorney and Manager.
	Simpson, Joseph - -	"	"	ditto - - ditto.
	Fraser, George - -	"	"	Manager.
	Stokes, John - -	"	"	Attorney.
	Purcell, Richard - -	"	"	Resident Proprietor.
	Paterson, George, jun. - -	"	"	Physician.
	De Poullain, E. J. - -	"	"	Resident Proprietor.
	Rose, Hugh - -	"	"	Attorney and Manager.
	Turnbull, R ^t - -	"	"	ditto - - ditto.
	Whiteman, W. H. - -	"	"	Resident Proprietor.
	Burnie, David - -	"	"	Manager.
	Nicholson, Joseph - -	"	"	ditto.
TOBAGO (10) -	Baid, John - -	2 August 1834	"	Attorney and Manager.
	Clark, Frederick - -	"	"	Manager.
	Hamilton, Henry - -	"	"	Attorney.
	Johnston, James - -	"	"	Police Magistrate, unconnected with Colonial property.
	Kirk, James - -	"	"	Manager and Attorney.
	Mitchell, R ^t - -	"	"	Proprietor.
	Nicholson, W. T. - -	"	"	- - Medical Practitioner and Pres- ident of the Council; uncon- nected with Colonial property.
	M'Eachine, Samuel - -	"	"	Manager and Attorney.
	Stewart, John - -	"	"	ditto - - ditto.
	Wyllie, Thomas - -	"	"	ditto - - ditto.
	(67):			
	Jackson, Andrew - -	22 July 1834	"	Planter and Attorney.
District (A.) -	Watson, Richard - -	"	"	Planter.
	Booker, William - -	"	"	Planter and Attorney.
	Bonyan, George - -	31 Jan. 1835	"	Planter.
District (B.) -	M'Turk, Lieut.-Colonel - -	22 July 1834	"	Planter and Attorney.
	Simpson, Lieut.-Colonel - -	"	"	ditto - ditto.
	Garnett, Abraham - -	"	"	ditto - ditto.
District (C.) -	Goodman, Colonel - -	"	"	Unconnected with Colonial property.
	Macrae, A. - -	"	"	Attorney.
	Turton, Alexander - -	"	"	Merchant, unconnected with Colonial property.
	Koert, J. - -	"	"	Planter.
	Montauraux, Henry - -	"	"	ditto.
	Haynes, R. - -	19 Feb. 1835	"	Merchant, unconnected with Colonial property.
	Campbell, T. - -	"	"	ditto - ditto.
	Robertson, G. - -	"	"	Attorney.
	Dyett, M. - -	"	"	ditto.
District (D.) -	Blake, Lieut.-Colonel - -	22 July 1834	"	Planter.
	Bach, N. J. F. - -	"	"	Planter and Attorney.
	Patterson, J. D. - -	"	"	Planter.
	Brotherson, Charles - -	"	"	ditto.
	Brown, Thomas - -	"	"	ditto.
District (E.) -	Waterton, R. - -	"	"	Planter and Attorney.
	Mack, L. H. W. - -	"	"	Attorney.
	Schultz, Edward - -	31 March 1835	"	Planter.
District (F.) -	Fitzgerald, L. - -	22 July 1834	"	Planter and Attorney.
	Simpson, Major - -	"	"	ditto - ditto.
	Teschemaker, Thomas - -	"	"	Planter.
	M'Kenzie, John - -	6 August 1834	"	ditto.
	Thierers, A. - -	12 Feb. 1835	"	ditto.
District (G.) -	Bishop, Major - -	22 July 1834	"	Planter and Attorney.
	Mackay, A. - -	"	"	Planter.
	Richardson, T. - -	"	"	Unconnected with Colonial property.
	Wotherspoon, Robert - -	16 Aug. 1834	"	ditto - - ditto.
	Van Ansorg, Dr. - -	7 Jan. 1835	"	ditto - - ditto.
	Day, John C. - -	"	"	Planter.
District (H.) -	Austin, J. - -	22 July 1834	"	Planter and Attorney.
	MacKay, D. - -	"	"	Planter.
	Tonge, B. - -	"	"	Unconnected with Colonial property.
	Gilgeons, John - -	19 Aug. 1834	"	Planter.
	Bell, Dr. - -	"	"	ditto.

APPOINTED SPECIAL MAGISTRATES IN THE COLONIES.

3

COLONY.	NAME.	DATE of APPOINTMENT.	By whom APPOINTED.	Whether Planters, Attorney, or connected with Colonial Property.
BRITISH GUIANA— <i>continued.</i>				
District (H.)— <i>continued.</i>	Pickersgill, G. - -	28 Oct. 1834	Lieut. Governor	Planter.
	Smith, Joseph - -	"	"	ditto.
	Pearson, John - -	8 Dec. 1834	"	ditto.
	Elliott, William - -	31 Mar. 1835	"	ditto.
District (I.) -	Cameron, L. - -	22 July 1834	"	Planter and Attorney.
	Gainsfort, J. - -	"	"	Planter.
	Van Rossum, L. - -	29 Sept. 1835	"	ditto.
District (K.) -	Alves, John - -	22 July 1834	"	Planter and Attorney.
	Melville, D. - -	"	"	Attorney and Merchant.
	Campbell, W. - -	"	"	Attorney.
	McDonald, J. - -	"	"	Unconnected with Colonial property.
	Winter, T. B. - -	"	"	ditto - - ditto.
	Henery, W. - -	"	"	Planter.
	Kirkwood, J. - -	"	"	Planter.
	Van Holst, G. - -	19 Aug. 1834	"	ditto.
	Cameron, D. C. - -	"	"	Planter and Attorney.
	Hicks, E. - -	"	"	Planter.
District (L.) -	Chisholme, B. - -	22 July 1834	"	ditto.
	Mittleholzer, J. - -	"	"	ditto.
	Ter Reehorst - -	6 Aug. 1834	"	ditto.
	Prass, G. - -	2 Sept. 1834	"	Planter and Attorney.
	Barnsted, J. L. - -	31 Mar. 1835	"	Planter.
District (M.) -	Fraser, D. - -	22 July 1834	"	ditto.
	Ross, W. - -	"	"	ditto.
	Ross, D. - -	"	"	ditto.
	Tait, R. - -	23 Sept. 1834	"	ditto.
	Williams, T. - -	6 Aug. 1834	"	ditto.
TRINIDAD (29) -	Murray, Henry - -	29 July 1834	"	Proprietor.
	Boissiere, John - -	"	"	ditto.
	Lapeyrouse, Louis - -	"	"	ditto.
	Giusseppe, J. A. - -	"	"	ditto.
	Condon, J. B. - -	"	"	ditto.
	Hart, D. - -	"	"	ditto.
	Prieto, B. - -	"	"	ditto.
	Sorzano, M. - -	"	"	Corregidor of Indian Mission.
	Gillman, W. - -	"	"	Proprietor.
	Worthington, J. G. - -	"	"	Planter.
	Lee, R. - -	"	"	ditto.
	Guignet, R. - -	"	"	Proprietor.
	Ligoure, J. - -	"	"	ditto.
	Peschier, J. - -	"	"	ditto.
	Johnston, H. - -	"	"	Planter.
	Grey, R. - -	"	"	Proprietor.
	Coppinger, R. - -	"	"	ditto.
	Miller, J. - -	"	"	Planter.
	Taylor, J. - -	"	"	Proprietor.
	Danglade, F. J. - -	"	"	ditto.
	Fabien, D. - -	"	"	ditto.
	White, Thomas - -	"	"	ditto.
	Parley, H. - -	"	"	ditto.
	Huggins, H. N. - -	"	"	ditto.
	Besson, F. - -	"	"	ditto.
	Vassal, A. - -	"	"	ditto.
	Agge, T. - -	"	"	Planter.
	Rochard, A. - -	3 Aug. 1834	"	Proprietor.
	Bowen, F. C. - -	7 Nov. 1834	"	ditto.
ST. LUCIA (7) -	Brettes, Louis de - -	19 Aug. 1834	"	Planter and Proprietor.
	Robinson, R. S. - -	12 Nov. 1834	"	ditto - ditto.
	Doussard, L. - -	"	"	ditto - ditto.
	St. Philp, D. - -	24 Feb. 1835	"	ditto - ditto.
	Alexander, J. P. M. - -	19 Aug. 1834	"	ditto - ditto.
	Cotler, George - -	1 Aug. 1834	"	ditto - ditto.
	Richardson, J. - -	24 Feb. 1835	"	ditto - ditto.
MONTSERRAT. No	Local Magistrates appointed Special Magistrates.			
ST. CHRISTOPHER'S (7-)	Thompson, William - -	1 Aug. 1834	"	- - Master in Chancery and Registrar in Court of Admiralty, unconnected with Colonial property.
	Wilson, J. D. - -	"	"	Planter.
	Clifton, J. M. - -	"	"	Late a Lieut.-Colonel in the Army, Proprietor.
	Fahie, G. A. - -	"	"	Barrister at Law, Proprietor.
	Rawlins, A. H. - -	6 Aug. 1834	Governor	Barrister of the English Bar, and called to the Bar of the Colony.

COLONY.	N A M E.	DATE of APPOINTMENT.	By whom APPOINTED.	Whether Planter, Attorney, or connected with Colonial Property.
ST. CHRISTOPHER'S	—continued.			
	Sadler, J. E. A. - -	11 Aug. 1834	Governor	Medical Practitioner and Planter.
	Cleghorn, R. B. - -	29 Jan. 1835	"	Proprietor.
ANGUILLA (2)	Lake, Thomas - -	4 Sept. 1834	Lieut. Governor	Planter and Proprietor.
	Hodge, Bing ⁿ - -	"	"	ditto - ditto.
NEVIS (11)	Stanley, Joseph - -	6 Aug. 1834	President	Merchant.
	Claxton, P. P. - -	"	"	ditto.
	Wattley, G. S. W. - -	"	"	Proprietor.
	Huggins, John - -	"	"	ditto.
	Maynard, James - -	"	"	ditto.
	Webbe, George - -	"	"	ditto.
	Maynard, W. junior - -	"	"	Unconnected with Colonial property.
	Cottle, T. J. - -	"	"	Proprietor.
	Maynard, J. W. junior - -	"	"	Unconnected with Colonial property.
	Huggins, P. T. - -	"	"	Proprietor.
	Duke, Thomas - -	14 Aug. 1834	"	Merchant.
DOMINICA (7.)	Robinson, Alexander - -	26 July 1834	Lieut. Governor	Proprietor.
	Ogston, M. - -	"	"	Manager and Attorney.
	Rainy, Wm. Thomas - -	"	"	Proprietor.
	Cochrane, Jolly - -	"	"	ditto.
	Bellot, J. B. - -	"	"	ditto.
	Coipel, G. - -	13 Aug. 1834	"	ditto.
	Elson, Boyce - -	25 Oct. 1834	President	Manager.
MAURITIUS - - - - -	- - - - -	Returns not received.		
CAPE OF GOOD HOPE - - - - -	- - - - -	ditto - - ditto.		

Colonial Department, Downing-street, }
24 July 1835.

G. Grey.

SLAVERY ABOLITION PROCEEDINGS.

A RETURN of Local Magistrates who have
been appointed Special Magistrates, the
time of their Appointment, and by whom ap-
pointed.

(Mr. W. F. Gladstone.)

Ordered, by The House of Commons, to be Printed,
24 July 1835.

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SLAVERY ABOLITION ACT.

RETURN to an Order of the Honourable The House of Commons,
dated 3 August 1835;—for

A Copy of CONTRACT for the LOAN of 15,000,000*l.* to be raised under the Authority of the Act 3 & 4 Will. IV. c. 73, for the COMPENSATION to the OWNERS of SLAVES; with Proceedings and Tenders respecting the same.

Gentlemen,

Treasury Chambers, 25 July 1835.

I BEG to inform you, and request you will make it known in the usual manner, that on Wednesday next, at 11 o'clock, Lord Melbourne and I shall be ready to see any gentlemen who may be desirous of contracting for a Loan, under the provisions of an Act passed in the 3d & 4th years of His present Majesty's reign for the Abolition of Slavery.

We shall then inform the parties the amount which will be required, and the time and manner of the bidding; and I hope it will be convenient to you, or one of you, to meet those gentlemen here at the appointed hour.

I have the honour to be, Gentlemen, your most obedient servant,

(signed) *T. Spring Rice.*

To the Governor and Deputy-Governor
of the Bank of England.

Treasury Chambers, 29 July 1835.

PROCEEDINGS at the preliminary Meeting respecting the Loan of 15,000,000*l.* proposed to be raised, under the Authority of the Act 3 & 4 Will. IV. c. 73, for the Compensation to Owners of Slaves.

THE following gentlemen attended this meeting, in consequence of the Chancellor of the Exchequer's letter to the Governor and Deputy-Governor of the Bank of England of the 25th inst., to hear the terms proposed for the said Loan:—

Messrs. Rothschild, Montefiore, Sir J. R. Reid, Messrs. Irving, Baring, Mildmay, J. L. Goldsmid, Ricardo, Robertson, Hobhouse, Ward, &c. &c.

The Chancellor of the Exchequer observed, that in the arrangements which had been determined upon by the Lords of the Treasury for giving effect to the intentions of Parliament on this subject, it had been their earnest desire to accomplish the object in such a manner, as whilst full justice was done to the persons entitled to compensation, care should also be taken to produce the least disturbance or pressure in the money market, and to avert any inconvenient alterations in the state of the circulation.

The measures proposed were—

1. To contract for a loan of 15,000,000*l.*, and to spread the instalments over a period ending on the 13th September 1836.

2. To give to those claimants, to whom payments should not be immediately made from money in hand arising from the instalments, certificates bearing interest, payable to bearer at the Bank of England; these certificates to be specifically charged upon the instalments of the Loan, and also receivable at the Bank as part of the subsequent instalments on which they are specifically charged.

The Chancellor of the Exchequer then stated, that it was proposed to give for every 100*l.* subscribed in money, the amount of 75*l.* stock Three per cent. Consols, 25*l.* Three per cent. Reduced, and to receive the biddings for the further amount in Long Annuities expiring 5 January 1860.

The interest on the Three per cent. Reduced and Long Annuities to commence from 5 April 1835.

The interest on the Three per cent. Consols to commence 5 July 1835.

An allowance of discount at Two per cent. per annum in the usual manner.

No reserve for public companies.

The days of payment to be as follows:—

			£.
1835.	Deposit, 6 August -	10 per cent. - -	1,500,000
	16 October - -	10 per cent. - -	1,500,000
	13 November -	7½ per cent. - -	1,125,000
	11 December -	7½ per cent. - -	1,125,000
1836.	13 January - -	10 per cent. - -	1,500,000
	9 February - -	9 per cent. - -	1,350,000
	11 March - -	9 per cent. - -	1,350,000
	12 April - -	9 per cent. - -	1,350,000
	10 May - -	6 per cent. - -	900,000
	14 June - -	5 per cent. - -	750,000
	12 July - -	8 per cent. - -	1,200,000
	16 August - -	5 per cent. - -	750,000
	13 September -	4 per cent. - -	600,000
	100		£. 15,000,000

The biddings to be made on Monday next at this office, at 10 o'clock.

As it was several years since a Public Loan had been contracted for, the Chancellor of the Exchequer said he thought it right to inform the parties, that on the morning of the bidding the usual course would be observed by his laying on the table, previously to opening the tenders, a sealed paper containing the highest terms that the Lords of the Treasury would feel they should be justified in acceding to, and that in the event of the annuity asked for, in the several proposals, exceeding the amount specified in the sealed paper, it would in such case be opened, and the amount in it declared.

With reference to the remaining sum of 5,000,000*l.* to complete the West India Grant of 20,000,000*l.*, but which is not raised by the present Loan, the Chancellor of the Exchequer said it would not be necessary for him to make any arrangement for raising 3,300,000*l.* of that sum in the present Session of Parliament, in consequence of the claims from the Mauritius and the Cape not coming into course of payment for a considerable time, and in respect to the money for Barbadoes, it stood upon a distinct footing from the rest, the Act for that Colony having been declared by the King in Council to be inadequate and unsatisfactory. Powers, therefore, would be taken in an Act of the present Session, to write in the amount of Stock in the books of the Bank of England, which would be eventually transferred to the claimants of Barbadoes, but which would not, in any contingency, come upon the market otherwise than gradually, and in proportion as the several claims of the proprietors are affirmed by the adjudication of the Commissioners.

To the Right Honourable the Chancellor of the Exchequer.

Honourable Sir,

We hereby engage to take the Loan for 15 millions sterling, at, say

75 Consols,

25 Reduced Three per Cents.,

And 14*s.* 11*d.* Long Annuity 1860.

We are, Honourable Sir, your obedient servants,

(signed) *N. M. Rothschild.*

Fourteen shillings and Eleven-pence }
Long Annuity.

Moses Montefiore.

London, 3 August 1835.

SEALED PAPER laid upon the table previously to opening the Tender.

Thirteen shillings and Seven-pence Long Annuity.

(signed) *Melbourne.*

Treasury Chambers, 3 August 1835.

T. Spring Rice.

Whitehall Treasury Chambers,
3 August 1835.

WE hereby engage with the Lords Commissioners of His Majesty's Treasury to subscribe the sum of 15 millions in money, for the loan proposed to be raised under the authority of the Act 3 & 4 Will. IV. c. 73, for the compensation to owners of slaves.

For every 100*l.* subscribed to receive 75*l.* Stock in the Three pounds per centum Consolidated Annuities; 25*l.* Stock in the Three pounds per centum Reduced Annuities; and 13*s.* 7*d.* Long Annuities expiring the 5th January 1860.

The interest on the Three pounds per cent. Reduced Annuities and Long Annuities, to commence from the 5th day of April 1835; and on the Three pounds per cent. Consolidated Annuities, from the 5th day of July 1835.

A discount, at the rate of Two pounds per centum per annum, to be allowed after the payment of the deposit on the whole money advanced at any time on or before the 15th August 1836, beyond the instalments up to the latest period of them, in the usual manner.

For payments in full, made on or before the 7th October or 2d April, the dividends on the 3*l.* per cents. Reduced Annuities and the Long Annuities, becoming due on the 10th October and the 5th April, will be paid on those days; and for payments in full, made on or before the 2d January and the 2d July, the dividends becoming due on the 5th January and the 5th July, will be paid on those days.

The days of payment to be as follows, viz.

1835. Thursday, 6th August, deposit of £.10 per cent.

16 October, payment of - - 10 —

13 November, ditto - - 7½ —

11 December, ditto - - 7½ —

1836. 13 January, ditto - - 10 —

9 February, ditto - - 9 —

11 March, ditto - - 9 —

12 April, ditto - - 9 —

10 May, ditto - - 6 —

14 June, ditto - - 5 —

12 July, ditto - - 8 —

16 August, ditto - - 5 —

13 September, ditto - - 4 —

100

N. M. Rothschild.
Moses Montefiore.

Witness, *James Pattison*, Governor.

T. A. Curtis, Deputy Governor.

These terms are accepted by the undersigned,

Melbourne.

T. Spring Rice.

Seymour.

W. H. Ord.

R. Steuart.

R. More O'Ferrall.

Lords Commissioners
of the Treasury.

Witness, *James Pattison*, Governor.

T. A. Curtis, Deputy Governor.

Whitehall Treasury Chambers, }
3 August 1835.

F. BARING.

SLAVERY ABOLITION ACT.

Copy of CONTRACT for the LOAN of 15,000,000*l.*
to be raised under the Authority of the Act
3 & 4 Will. IV. c. 73, for the Compensation
to the Owners of Slaves; with Proceedings
and Tenders respecting the same.

(*Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, to be Printed,
3 August 1835.

APPRENTICED NEGROES.

RETURN to an ADDRESS of the Honourable The House of Commons,
dated 1 June 1835;—for,

COPIES of any INSTRUCTIONS given relative to COMPENSATION claimed for
NEGROES who had not been registered as SLAVES.

Colonial Department, }
Downing-street, 2 Sept. 1835. }

G. GREY.

Office of Commissioners of Compensation,
No. 25, Great George-street, Westminster,
15 July 1835.

Sir,

WE have the honour to transmit to you extract of a Letter addressed by the Commissioners of Compensation to the Assistant Commissioners at Jamaica, dated 4th November 1833, immediately after the formation of this Board, the result of which will be seen in our letter to Mr. Hay, of 20th January last, copy of which is inclosed. This letter also contains the opinions we have expressed, at the desire of the Colonial Department, on the subject of the Compensation for Slaves belonging to the Maroons; which two letters comprise all the instructions which have taken place relating to the subject to which they allude.

We beg to add that the slaves belonging to the Maroons are included in several returns of classified valuation; but the claims for compensation in respect of them have not yet reached this office; they may, however, be presumed to be among the large number of claims of which we are still in expectation from Jamaica.

Sir George Grey, Bart.,
&c. &c. &c.
Colonial Office.

We have, &c.
(signed) *James Lewis.*
Hastings Elwin.

EXTRACT of LETTER to the Assistant Commissioners at Jamaica, dated
4 Nov. 1833.

THE Islands of Caymanas being dependencies of the Colony of Jamaica, and it being by the 66th clause of the Act declared that such dependencies shall be taken to be parts of the Colony for the purposes of the Act; and as the Act passed by the Legislature of Jamaica for the registration of slaves does not include the Caymanas, and no Return of slaves has ever been made therefrom, it will be necessary that the Auxiliary Commissioners of Jamaica should obtain a Return of the number of slaves belonging to or settled in those Islands, and ascertain with all possible precision what was the value or price of slaves therein within the eight years ending on the 31st December 1830; and for this purpose it will be proper to appoint some fit person to be an agent to proceed, under the authority of the Auxiliary Commissioners, from Jamaica to the Caymanas who, after due and accurate inquiry within those Islands, should report on oath the number of slaves and the price as before mentioned, and the Auxiliary Commissioners will transmit such report to the Commissioners in London.

COPY of a LETTER from the Commissioners of Compensation to *R. W. Hay, Esq.*, dated Office of Commissioners of Compensation, 25, Great George-street, Westminster, 20 Jan. 1835.

Sir,

WE have the honour to acknowledge the receipt of your letter of the 17th inst., transmitting by the direction of the Earl of Aberdeen a copy of a despatch from the Marquis of Sligo, relative to a question which has arisen whether the negroes at the Caymanas are not free subjects, and in consequence of their non-registration, absolutely relieved from the apprenticeship; and requesting that we should give Lord Aberdeen an opinion whether any claims against the Compensation Fund can be allowed in respect to the unregistered slaves at the Caymanas, or to the slaves in Jamaica the property of Maroons, who are stated by Lord Sligo never to have been registered.

With respect to the compensation for slaves at the Caymanas, we beg to state that the situation of those Islands as dependencies of Jamaica became a subject for the consideration of the Commissioners in the beginning of their proceedings; and in their Letter of Instructions (signed by all the then Commissioners,) of the 4th Nov. 1833, to the Assistant Commissioners of Jamaica, upon the first head of inquiry for making the inter-colonial apportionment for the compensation money, they were directed to appoint an agent to proceed from Jamaica to the Caymanas under the authority of the Assistant Commissioners, to procure a Return of the number of slaves belonging to or settled in those Islands, and to ascertain the value or price of slaves therein for eight years, ending on the 31st Dec. 1830. With these Islands, although dependencies of Jamaica, there is little or no communication, from their distant situation to leeward of Jamaica; they are governed by their own usages and customs, and the laws of the Jamaica Legislature do not necessarily extend to them. Not being included in the Registry Acts of that Island, the owners were under no legal obligation, and had no opportunity of registering their slaves. As, however, under the last clause of the Abolition Act, Islands dependent upon Colonies, were to be deemed part thereof for the purposes of the Act, such a Return was required by our Letter of Instructions of the 4th Nov. 1833, as supplementary to the registration of the slaves in Jamaica. A very complete Return has accordingly been made, (2 April 1834) containing a registry of the names, numbers, ages and ownership of all the slaves in the Caymanas, upon the oaths of the respective owners; and we have continued to consider the Caymanas in all subsequent proceedings as an appendage to Jamaica, and entitled to share in the Compensation Fund, awarding to the interests of the respective owners in those Islands.

With respect to the claims for compensation for unregistered slaves in Jamaica belonging to Maroons, we beg to state that we have as yet received no Return or communication upon this subject from the Assistant Commissioners of Jamaica, and that the question is now for the first time proposed to us.

We think, however, that according to the liberal and manifest interpretation of the Abolition Act, it was intended to give the compensation for all slaves not illegally held in slavery. And although the Registry Act of Jamaica would oblige all holders of slaves within the Colony to register them under a penalty, yet it does not make the omission to register them a forfeiture of the property. We should be inclined therefore to hold that the regular annual Returns to the Assembly of the Slaves belonging to the Maroons, as mentioned by Lord Sligo, might be deemed, when properly authenticated, to satisfy the rule proposed by the Commissioners, that a certificate of registration should accompany the claim, and entitle the owners to compensation.

We have, &c.

(signed) *James Lewis.*
Hastings Ehwin.
Henry Fred. Stephenson.

APPRENTICED NEGROES.

COPIES of any INSTRUCTIONS given relative to
COMPENSATION claimed for NEGROES who had
not been registered as SLAVES.

(*Mr. Fowell Buxton.*)

*Ordered, by The House of Commons, to be Printed,
3 September 1835.*

RIO DE JANEIRO TREATY.

RETURN to an Address to HIS MAJESTY, dated 11 August 1835;—for,

CORRESPONDENCE relative to the proposed SUSPENSION by the *Portuguese* Government, of the TREATY of COMMERCE and NAVIGATION between *Great Britain* and *Portugal*, concluded at *Rio de Janeiro* on the 19th of February 1810.

LIST OF PAPERS.

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Enclosure 1.—The Duke of Palmella to Lord Howard de Walden, Lisbon,	
21 July 1835 -	p. 1
Enclosure 2.—Lord Howard de Walden to the Duke of Palmella, Lisbon,	
22 July 1835 -	p. 3

EXTRACT of a DESPATCH from Lord *Howard de Walden* to Viscount *Palmerston*, dated *Lisbon*, 22 July 1835.

“ I HAVE the honour to transmit to your Lordship, a copy and translation of a note which I have received from the Duke of Palmella, giving official notice of the decision of the Portuguese government, to consider the Treaty of 1810 at an end after the 31st of January 1836; and proposing to enter into negotiations for a new Treaty of Commerce, on the basis of reciprocity in commercial intercourse, with reference to imports as well as duties, on the footing of the most favoured nations.

“ I add, a copy of the answer which I have returned to this communication, his Excellency having requested from me an early official acknowledgement of the receipt of his note.”

Enclosure, No. 1.—(Translation.)

The Duke of *Palmella* to Lord *Howard de Walden*.

THE undersigned, &c., &c., has the honour to announce to his Lordship, the Envoy Extraordinary, &c., &c., of His Britannic Majesty, that the Government of Her Most Faithful Majesty thinking it their duty no longer to defer the fulfilment of the resolution many years since adopted, of objecting to the continuation of the Treaty of Commerce of 1810, between Portugal and Great Britain, has come to the determination of wholly suspending it, in virtue of the powers enunciated by the 33d Article of the said Treaty.

The Ministry of His Britannic Majesty is aware, that in the year 1825, in which were completed the 15 years of fixed duration of this Treaty, the undersigned who then had the honour to hold the post of Ambassador of His Most Faithful Majesty to the Court of London, had orders from his Sovereign to make a similar declaration, which was promptly admitted by the British Cabinet, as was equally the proposition which the undersigned had subsequently the honour to make of a new Treaty, the negotiation of which proceeded so far that the two Governments were

nearly agreed upon its articles ; a negociation which was only broken off on account of the political events which occurred in Portugal, in consequence of the lamented death of his Majesty the King, Don John VI. which at the time induced the two Cabinets to reserve, to a more tranquil epoch, and one more suited to them, all discussions upon commercial matters.

Ten years have now elapsed since that period, and in this interval, besides the continually increasing manifest necessity of making a change in the stipulations of the Treaty of 1810, there has occurred the decisive fact, of the British Government on its part having annulled the stipulation of the 26th Article of the before-mentioned Treaty, by withdrawing the preference in the payment of duties which the wines of Portugal enjoyed upon entry in the ports of England since the year 1703, thus depriving Portuguese commerce of the most important advantage which it enjoyed in the British dominions, as is clearly proved by the discussion which took place on this matter in Parliament.

Had these reasons been insufficient to induce the Government of Her Most Faithful Majesty to adopt the resolution declared in this note, sufficient cause for it would have been found in the unanimous opinion, manifested not only in the discussion of the two Legislative Chambers, but also in the repeated representations of Portuguese engaged in commerce ; above all, the principle at this day universally admitted would have been sufficient for them, that Treaties of Commerce ought always to be temporary, since the commercial interests of nations are in their nature variable, and modify or change themselves according to circumstances ; this principle being applicable, in the existing state of things, in an evident manner to the Portuguese monarchy, whose commercial relations have undergone a very notable change since the period in which was concluded the Treaty of 1810, by the separation of Brazil, which at that time still formed a portion of the said monarchy.

The Government of Her Most Faithful Majesty, far from not recognising the advantages which should result to Portugal from its commercial relations with the dominions of His Britannic Majesty, has a lively anxiety to promote them, and to see them prosper, conceiving, that in order to gain this end, it is essential that they be based upon principles of mutual advantage, and divested on either side of all ideas of injustice or inequality, in order to avoid complaints more or less justifiable, and not to cause Treaties, intended to keep alive between the two nations feelings of mutual cordiality, to be the origin or pretext of unpleasant disputes.

The undersigned, well assured that the Cabinet of His Britannic Majesty agrees with these principles, has orders to acquaint Lord Howard de Walden, with the view of his making it known to his Government, that Her Most Faithful Majesty is desirous of coming to an agreement, as speedily as possible, with His Britannic Majesty, upon a new Treaty or Convention of Commerce, having for its essential basis the holding the two nations in a state of reciprocity, as far as regards the admission of their respective productions, and the payment of all kinds of duties, on an equality with the most favoured nations.

The Government of Her Most Faithful Majesty proposes, that a negociation on the above-mentioned basis, if as they hope it be adopted by His Britannic Majesty, be immediately reduced to form, either in Lisbon or London, as shall appear most convenient.

There is every motive for hoping that such a negociation may be brought to a close antecedently to the term which it is intended to fix for the expiration of the Treaty of 1810 ; and with the view of, in all probability, obtaining that result, as well as to avoid the possibility of British subjects suffering prejudice in any kind of speculation undertaken by them on the faith of the Treaty still actually existing ; the Government of Her Most Faithful Majesty is of opinion, that it will suffice to announce the final cessation of the said Treaty, for the last day of January 1836, on which day it will cease to be held in force, such being the official communication which the undersigned has received orders to make to the Envoy Extraordinary, &c. &c. of His Britannic Majesty.

The undersigned avails himself, &c. &c.

Palace of Necessidades,
21 July 1835.

(signed) Duke of *Palmella*.

SUSPENSION OF THE RIO DE JANEIRO TREATY.

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Enclosure, No. 2.

Lord *Howard de Walden* to his Excellency the Duke of *Palmella*.

THE undersigned has the honour to acknowledge the receipt of the note addressed to him, of yesterday's date, by the Duke of Palmella, &c. making to him the official notification of the intention of Her Most Faithful Majesty's Government to consider the Treaty of Commerce between Portugal and Great Britain, signed in 1810, suspended in toto, from the 31st of January 1836.

The undersigned will lose no time in making known to the British Government the decision of the Portuguese Cabinet, and will convey to Lord Palmerston, &c. their desire, as expressed in his Excellency's note, to proceed forthwith to the negotiation of a new Treaty of Commerce, upon the basis of reciprocity, and regulating the reciprocal admission of the produce of the two countries, as well as the amount of duties payable on all imports, on the footing of the most favoured nations.

The undersigned, &c.,

Lisbon,
22 July 1835.

(signed) *Howard de Walden*.

RIO DE JANEIRO TREATY.

CORRESPONDENCE relative to the proposed
SUSPENSION of the TREATY of COMMERCE and
NAVIGATION between *Great Britain* and *Portugal*.

(*Mr. Robinson.*)

Ordered, by The House of Commons, to be Printed,
31 August 1835.

ADDITIONAL ARTICLES

TO THE

TREATY

CONCLUDED AT LONDON, APRIL 22, 1834,

BETWEEN

HIS MAJESTY,

THE QUEEN REGENT OF SPAIN,

THE KING OF THE FRENCH,

AND THE

DUKE OF BRAGANZA, REGENT OF PORTUGAL.

SIGNED AT LONDON, AUGUST 18, 1834.

Presented to both Houses of Parliament, by Command of His Majesty,
1835.

LONDON:

PRINTED BY J. HARRISON AND SON.

*ADDITIONAL ARTICLES to the TREATY concluded
QUEEN REGENT OF SPAIN during the Minority of
QUEEN OF SPAIN, THE KING OF THE
of the Kingdom of PORTUGAL AND OF THE
MARIA THE SECOND.*

HIS Majesty the King of the United Kingdom of Great Britain and Ireland; Her Majesty the Queen Regent of Spain, during the minority of her Daughter Donna Isabella the Second, Queen of Spain; His Majesty the King of the French; and His Imperial Majesty the Duke of Braganza, Regent of the Kingdom of Portugal and the Algarves, in the name of the Queen Donna Maria the Second,—the High Contracting Parties to the Treaty of the 22nd April, 1834;—having taken into their serious consideration the recent events which have occurred in the Peninsula, and being deeply impressed with the conviction that, in this new state of things, new measures have become necessary for the complete attainment of the objects which it was the purpose of the said Treaty to accomplish; the Undersigned, Henry John, Viscount Palmerston, Baron Temple, His Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c. &c. &c.; Don Manuel Pando, Fernandez de Pinedo, Alava, y Davila, Marquis of Miraflores, Her Catholic Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, &c. &c. &c.; Charles Maurice de Talleyrand-Perigord, Prince-Duke de Talleyrand, Ambassador Extraordinary and Minister Plenipotentiary from His Majesty the King of the French to His Britannic Majesty, &c. &c. &c.; and Christopher Peter de Moraes Sarmiento, Her Most Faithful Majesty's Envoy Extraordinary

SU Magestad el Rey del Reino Unido de la Gran Bretaña é Irlanda; Su Magestad la Reyna Gobernadora y Regente de España, durante la menor edad de Su Hija la Reyna Doña Isabel Segunda; Su Magestad el Rey de los Franceses; y Su Magestad Imperial el Duque de Braganza, Regente del Reyno de Portugal y de los Algarves, en nombre de Su Hija la Rêyna Doña Maria Segunda,—Altas Partes Contratantes del Tratado de 22 de Abril de 1834;—habiendo tomado en la mas seria consideracion los recientes sucesos ocurridos en la Peninsula, é intimamente convencidos de que este nuevo estado de cosas exige necesariamente nuevas medidas para lograr completamente los objetos del precitado Tratado; los infrascriptos, Henrique Juan, Vizconde Palmerston, Baron Temple, Principal Secretario de Estado de Su Magestad Britanica en el Departamento de Negocios Estrangeros, &c. &c. &c.; Don Manuel Pando, Fernandez de Pinedo, Alava, y Davila, Marques de Miraflores, Enviado Extraordinario y Ministro Plenipotenciario de Su Magestad Católica cerca de Su Magestad Britanica, &c. &c. &c.; Carlos Mauricio de Talleyrand-Perigord, Principe-Duque de Talleyrand, Embajador Extraordinario y Ministro Plenipotenciario de Su Magestad el Rey de los Franceses cerca de Su Magestad Britanica, &c. &c. &c.; y Cristobal Pedro de Moraes Sarmiento, Enviado Extraordinario y Ministro Plenipotenciario de Su Magestad Fidei-

at London, April 22, 1834, between HIS MAJESTY, THE Her Daughter DONNA ISABELLA THE SECOND, FRENCH, and THE DUKE OF BRAGANZA, Regent ALGARVES, in the Name of the QUEEN DONNA

Signed at London, August 18, 1834.

SA Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande; Sa Majesté la Reine Régente d'Espagne, pendant la minorité de Sa Fille la Reine Isabelle Seconde; Sa Majesté le Roi des Français; et Sa Majesté Impériale le Duc de Bragança, Régent du Royaume de Portugal et des Algarves, au nom de la Reine Donna Maria Seconde,—Hautes Parties Contractantes au Traité du 22 Avril, 1834;—ayant porté leur attention sérieuse sur les évènements récents qui ont eu lieu dans la Péninsule, et étant profondément convaincues que dans ce nouvel état de choses, de nouvelles mesures sont devenues nécessaires pour atteindre complètement le but du dit Traité; les Soussignés, Henry Jean, Vicomte Palmerston, Baron Temple, Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères, &c. &c. &c.; Don Manuel Pando, Fernandez de Pinedo, Alava, y Davila, Marquis de Miraflores, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Catholique près Sa Majesté Britannique, &c. &c. &c.; Charles Maurice de Talleyrand-Périgord, Prince-Duc de Talleyrand, Ambassadeur Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi des Français près Sa Majesté Britannique, &c. &c. &c.; et Christophe Pierre de Moraes Sarmento, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Très-Fidèle près Sa Majesté Britannique, &c. &c. &c.; étant munis de l'autorisation de leurs Gou-

SUA Magestade el Rei do Reino Unido da Gram Bretanha e Irlanda; Sua Magestade a Rainha Governadora de Hespanha, Regente durando a menoridade de Sua Filha a Rainha Dona Izabel Segunda; Sua Magestade el Rei dos Francezes; e Sua Magestade Imperial o Duque de Bragança, Regente do Reino de Portugal e dos Algarves, em nome da Rainha a Senhora Dona Maria Segunda,—Altas Partes Contratantes do Tratado de 22 de Abril de 1834;—tendo tomado na sua séria consideração os acontecimentos recentes, que tem occorrido na Peninsula, e achando-se profundamente convencidas de que, neste novo estado de couzas, se tornaõ necessarias novas medidas para completamente se conseguir os objectos que o Tratado tinha em vista; os abaixo assinados, Henrique Joaõ, Visconde Palmerston, Barão Temple, Principal Secretario de Estado de Sua Magestade Britanica na Repartição dos Negocios Estrangeiros, &c. &c. &c.; Dom Manuel Pando, Fernandez de Pinedo, Alava, y Davila, Marquez de Miraflores, Enviado Extraordinario e Ministro Plenipotenciario de Sua Magestade Catholica junto de Sua Magestade Britanica, &c. &c. &c.; Carlos Mauricio Talleyrand-Perigord, Principe-Duque de Talleyrand, Embaixador Extraordinario e Ministro Plenipotenciario de Sua Magestade el Rei dos Francezes junto de Sua Magestade Britanica, &c. &c. &c.; e Christovão Pedro de Moraes Sarmento, Enviado Extraordinario e Ministro Pleni-

and Minister Plenipotentiary to His Britannic Majesty, &c. &c. &c.; being furnished with the authority of their respective Governments, have agreed upon the following Additional Articles to the Treaty of the 22nd April, 1834:

ARTICLE I.

His Majesty the King of the French engages to take such measures in those parts of his dominions which adjoin to Spain, as shall be best calculated to prevent any succours of men, arms, or warlike stores, from being sent from the French territory to the insurgents in Spain.

ARTICLE II.

His Majesty the King of the United Kingdom of Great Britain and Ireland engages to furnish to Her Catholic Majesty such supplies of arms and warlike stores as Her Majesty may require, and further to assist Her Majesty, if necessary, with a naval force.

ARTICLE III.

His Imperial Majesty the Duke of Braganza, Regent of Portugal and the Algarves, in the name of the Queen Donna Maria the Second, fully sharing the sentiments of his August Allies, and desirous moreover to make a just return for the engagements contracted by Her Majesty the Queen Regent of Spain, by the second Article of the Treaty of the 22nd April, 1834, engages to co-operate, if necessity should arise, in aid of Her Catholic Majesty, with such means as may be in his power, and in such mode and manner as may hereafter be agreed upon between their said Majesties.

ARTICLE IV.

The foregoing Articles shall have the same force and effect as if they were inserted, word for word, in the Treaty of the 22nd April, 1834, and shall be considered as forming a part of the same:—they shall

simas cerca de Su Magestad Britanica, &c. &c. &c.; competentemente autorizados por sus respectivos Gobiernos, han convenido en los siguientes Articulos Adicionales al Tratado de 22 de Abril de 1834:

ARTICULO I.

Su Magestad el Rey de los Franceses se obliga á tomar en los puntos de sus dominios fronterizos á España, las medidas mas conducentes á impedir que se envíe del territorio Frances ninguna especie de socorros de gente, armas, ni pertrechos militares á los insurgentes de España.

ARTICULO II.

Su Magestad el Rey del Reyno Unido de la Gran Bretaña é Irlanda se obliga á dar á Su Magestad Católica los auxilios de armas y municiones de guerra que necesite, y á ayudarle ademas, si fuese necesario, con una fuerza naval.

ARTICULO III.

Su Magestad Imperial el Duque de Braganza, Regente de Portugal y de los Algarves, en nombre de la Reyna Doña Maria Segunda, participando completamente de los sentimientos de sus Augustos Aliados, y deseoso ademas de dar una justa retribucion á los empeños contraidos por Su Magestad la Reyna Regente de España en el Articulo Segundo del Tratado de 22 de Abril de 1834, se obliga á co-operar, en caso necesario, en ayuda de Su Magestad Católica, con todos los medios que estén á su alcance, y en la forma y modo que se acuerde mas adelante entre las dichas Magestades.

ARTICULO IV.

Los anteriores Articulos tendrán la misma fuerza y efecto que se estuviesen insertos literalmente en el Tratado de 22 de Abril de 1834, debiendo ser considerados como parte del mismo; y serán ratifi-

vernemens respectifs, sont convenus des Articles suivans Additionnels au Traité du 22 Avril, 1834 :

ARTICLE I.

Sa Majesté le Roi des Français s'engage à prendre dans la partie de ses états qui avoisine l'Espagne, les mesures les mieux calculées pour empêcher qu'aucune espèce de secours en hommes, armes, ou munitions de guerre, soit envoyée du territoire Français aux insurgés en Espagne.

ARTICLE II.

Sa Majesté le Roi du Royaume-Uni de la Grande Bretagne et d'Irlande s'engage à fournir à Sa Majesté Catholique tous les secours d'armes et de munitions de guerre que Sa Majesté Catholique pourra réclamer, et en outre de l'assister avec des forces navales, si cela devient nécessaire.

ARTICLE III.

Sa Majesté Impériale le Duc de Bragança, Régent de Portugal et des Algarves, au nom de la Reine Dona Maria Seconde, partageant complètement les sentimens de ses Augustes Alliés, et désirant reconnaître par un juste retour les engagemens contractés par Sa Majesté la Reine Régente d'Espagne dans le Second Article du Traité du 22 Avril, 1834, s'oblige à prêter assistance, si la nécessité s'en présentait, à Sa Majesté Catholique, par tous les moyens qui seraient en son pouvoir, d'après la forme et la manière qui seraient convenues ensuite entre leurs dites Majestés.

ARTICLE IV.

Les Articles ci-dessus auront la même force et le même effet que s'ils avaient été insérés mot pour mot dans le Traité du 22 Avril, 1834, et seront considérés comme faisant partie du dit Traité: ils seront ra-

potenciario de Sua Magestade Fidelissima junto de Sua Magestade Britanica, &c. &c. &c.; achando-se munidos de authorisação de seus respectivos Governos, concordárao nos seguintes Artigos Adicionaes ao Tratado de 22 de Abril de 1834:

ARTIGO I.

Sua Magestade el Rei dos Francezes se obriga a tomar naquelles pontos dos seus dominios, que confinaõ com a Hespanha, as medidas que pareçaõ mas bem calculadas para impedir todo e qualquer soccorro de homens, armas, e munições de guerra, que se pertenda enviar do territorio Francez aos insurgentes em Hespanha.

ARTIGO II.

Sua Magestade el Rei do Reino Unido da Gram Bretanha e Irlanda se obriga a fornecer a Sua Magestade Catholica aquelles soccorros de armas e munições de guerra, que Sua Magestade houver de solicitar, e alem disso a auxiliar Sua Magestade, se necessario fôr, com uma força naval.

ARTIGO III.

Sua Magestade Imperial o Duque de Bragança, Regente de Portugal e dos Algarves, em nome da Rainha a Senhora Dona Maria Segunda, participando completamente dos sentimentos de seus Augustos Alliados, e dezejando alem disso retribuir a Sua Magestade a Rainha Governadora de Hespanha as obrigações por ella contrahidas no Artigo Segundo do Tratado de 22 de Abril de 1834, se obriga a co-operar, se para isso recrescer alguma precisaõ, com aquelles meios que estiverem ao seu alcance, em auxilio de Sua Magestade Catholica, de tal maneira e pelo modo que depois se ajustar entre suas ditas Magestades.

ARTIGO IV.

Os Artigos retro teraõ o mesmo vigor e effeito como que se elles estivessem inseridos palavra por palavra no Tratado de 22 de Abril de 1834, e seraõ considerados como formando parte do mesmo;

be ratified, and the Ratifications thereof shall be exchanged at London within forty days, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the eighteenth day of August, one thousand eight hundred and thirty-four.

cados, y sus Ratificaciones cangeadas en Londres, en el termino de cuarenta dias, ó antes si fuese posible.

En fé de lo cual, los respectivos Plenipotenciarios los firmaron, y sellaron con el Sello de sus Armas.

Dado en Londres, á diez y ocho de Agosto, del año de Nuestro Señor mil ochocientos treinta y cuatro.

(L. S.) PALMERSTON.

(L. S.) MIRAFLORES.

tifiés, et les Ratifications en seront échangées dans le délai de quarante jours, ou plutôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs les ont signé, et y ont apposé le Cachet de leurs Armes.

Fait à Londres, le dix-huit du mois d'Août, mil huit cent trente-quatre.

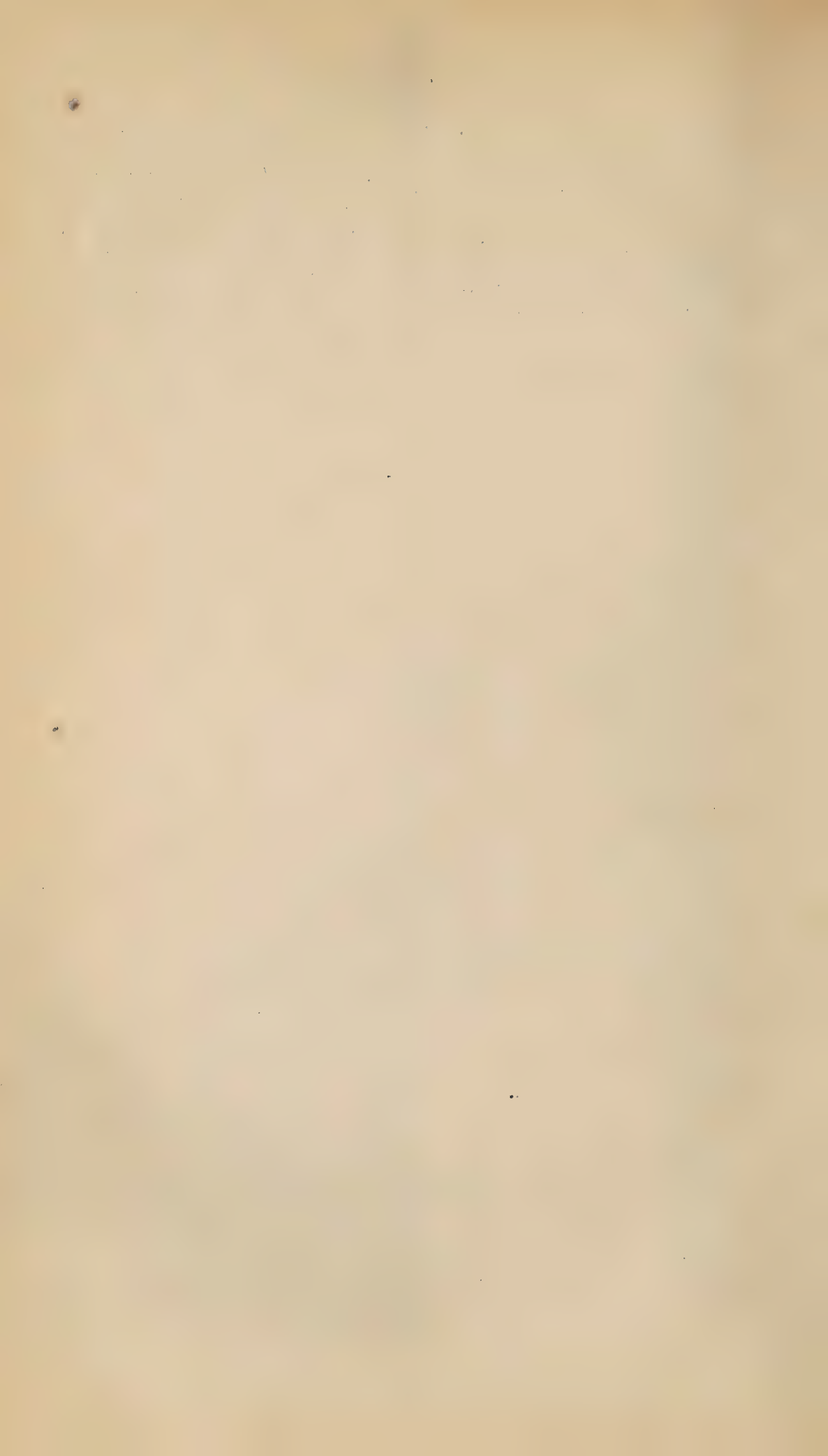
elles serão ratificados, e as suas Ratificações serão trocadas em Londres dentro de quarenta dias, ou antes se possível fôr.

Em fé do que, os respectivos Plenipotenciarios os assináraõ, e lhes fizeraõ pôr os Sellos das suas Armas.

Feitos em Londres, aos dezoito dias do mez de Agosto, do anno do nascimento de Nosso Senhor Jezus Christo, de mil oitocentos trinta e quatro.

(L. S.) TALLEYRAND.

(L. S.) C. P. DE MORAES SARMENTO.



ADDITIONAL ARTICLE

TO THE

TREATY

CONCLUDED AT STOCKHOLM, NOVEMBER 6, 1824,

BETWEEN

GREAT BRITAIN

AND

SWEDEN,

FOR THE

PREVENTION OF THE TRAFFIC IN SLAVES,

SIGNED AT STOCKHOLM, JUNE 15, 1835.

*Presented to both Houses of Parliament by Command of His Majesty,
1835.*

LONDON:

PRINTED BY J. HARRISON AND SON.

ADDITIONAL ARTICLE

TO THE

TREATY

CONCLUDED AT STOCKHOLM, NOVEMBER 6, 1824,

BETWEEN

GREAT BRITAIN

AND

SWEDEN,

For the Prevention of the Traffic in Slaves,

Signed at Stockholm, June 15, 1835.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sweden and Norway, having thought fit to agree upon the following further Arrangement, additional to the Treaty concluded between their aforesaid Majesties at Stockholm, on the sixth day of November, one thousand eight hundred and twenty-four, for the prevention of the Trade in Slaves, have named, authorized, and appointed the following Plenipotentiaries, *ad hoc*:

His Majesty the King of the United Kingdom of Great Britain and Ireland, Sir Edward Cromwell Disbrowe, Knight Grand Cross of the Royal Hanoverian Guelphic Order, His Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Sweden and Norway:

And His Majesty the King of Sweden and Norway, the Sieur Gustavus, Count de Wetterstedt, His Minister of State and for Foreign Affairs, Knight Commander of His Orders, Chancellor of His Orders; Knight of the Russian Orders of St. Andrew, of St. Alexander Newsky, and of St. Anne of the first Class; Knight of the Order of the Red Eagle of Prussia of the first Class; Grand Cross of the Order of Leopold of Austria; one of the Eighteen of the Swedish Academy:

Who, having exchanged their Full Powers, found in good form, have agreed upon the following Additional Article:—

SA Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi de Suède et de Norvège, ayant jugé à propos de convenir d'un Arrangement ultérieur à ajouter au Traité conclu entre leurs dites Majestés à Stockholm, le six Novembre, mil huit cent vingt quatre, pour la répression de la Traite des Noirs, ont nommé et autorisé des Plénipotentiaires *ad hoc*, savoir:

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, le Sieur Edward Cromwell Disbrowe, Grand' Croix de l'Ordre des Guelphes, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi de Suède et de Norvège:

Et Sa Majesté le Roi de Suède et de Norvège, le Sieur Gustave, Comte de Wetterstedt, Son Ministre d'Etat et des Affaires Etrangères, Chevalier Commandeur de Ses Ordres, Chancelier de Ses Ordres; Chevalier des Ordres de Russie de St. André, St. Alexandre Newsky, et Ste. Anne de la première Classe; Chevalier de l'Ordre de l'Aigle Rouge de Prusse de la première Classe; Grand' Croix de l'Ordre de Léopold d'Autriche; un des dix-huit de l'Académie Suédoise:

Lesquels, après avoir échangé leurs Pleins Pouvoirs, trouvés en bonne et due forme, sont convenus de l'Article Additionnel suivant:—

ADDITIONAL ARTICLE.

It is hereby agreed between the High Contracting Parties, that in all cases in which a Vessel shall, under the abovementioned Treaty, be detained by their respective Cruizers, as having been engaged in the Slave Trade, or as having been fitted out for the purposes thereof, and shall consequently be adjudged and condemned by the Mixed Courts of Commission to be established under that Treaty, the said Vessel shall, immediately after its condemnation, be broken up entirely, and shall be sold in separate parts after having been so broken up.

This Additional Article shall be ratified, and the Ratifications thereof shall be exchanged at Stockholm, within six weeks from the day of signature, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the present Additional Article, and thereunto affixed the Seal of their Arms.

Done at Stockholm, the fifteenth day of June, in the year of our Lord one thousand eight hundred and thirty-five.

EDWD. CROMWELL DISBROWE.

(L. S.)

ARTICLE ADDITIONNEL.

Il est convenu entre les deux Hautes Parties Contractantes, que toutes les fois qu'un Bâtiment est arrêté en exécution du Traité susmentionné, par les Croiseurs respectifs, pour s'être livré à la Traite des Noirs, ou comme étant armé pour ce but, et qu'il doit par conséquent être jugé et condamné par les Cours de Justice Mixtes à établir conformément au Traité, le dit Bâtiment sera, immédiatement après sa condamnation, entièrement démoli, et les parties en seront séparément vendues après avoir été ainsi démoli.

Cet Article Additionnel sera ratifié, et les Ratifications en seront échangées à Stockholm, dans l'espace de six semaines après le jour de la signature, ou plutôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs ont signé le présent Article Additionnel, et y ont apposé le Cachet de leurs Armes.

Fait à Stockholm, le quinze Juin, l'an de Grace mil huit cent trente cinq.

G. COMTE DE WETTERSTEDT.

(L. S.)

CONVENTION

BETWEEN

HIS MAJESTY

AND THE

STATE OF VENEZUELA,

SIGNED AT LONDON, OCTOBER 29, 1834.

Presented to both Houses of Parliament by Command of His Majesty,
1835.

LONDON:
PRINTED BY J. HARRISON AND SON.

CONVENTION

BETWEEN

HIS MAJESTY

AND THE

STATE OF VENEZUELA,

SIGNED AT LONDON, OCTOBER 29, 1834.

WHEREAS a Treaty of Amity, Commerce and Navigation, consisting of fifteen Articles, was concluded between His Majesty the King of The United Kingdom of Great Britain and Ireland, and the State of Colombia, which said Treaty, together with an Additional Article thereto, was signed at Bogotá on the 18th day of April, 1825; and whereas, after reciting that extensive commercial intercourse having been established for a series of years between the Dominions of His Britannic Majesty in Europe, and the several Provinces and Countries of America which (then united) constituted the State of Colombia, it seemed good for the security as well as encouragement of such commercial intercourse, and for the maintenance of good understanding between His said Britannic Majesty and the said State, that the relations then subsisting between them should be regularly acknowledged and confirmed by the signature of a Treaty of Amity, Commerce, and Navigation; it was in and by the said Treaty declared and agreed, that, under certain regulations and conditions therein specified, there should be reciprocal freedom of commerce between the Territories of His Britannic Majesty in Europe, and the Territories of Colombia: and whereas at the signing of the said Treaty, the Provinces of Venezuela were united with, and formed a component part of, the State of Colombia, but have since that time finally and entirely separated themselves therefrom, and from all other Countries or Provinces then or now united therewith, and have become a separate and independent State, under a distinct Government: and whereas it is desirable that the commercial relations and intercourse now or lately subsisting between the Territories of His Britannic Majesty in Europe, and the Territories of the State of Venezuela, re-

POR cuanto se concluyo entre Su Magestad el Rey del Reino Unido de la Gran Bretaña é Irlanda, y el Estado de Colombia, un Tratado de Amistad, Comercio, y Navegacion, constante de quince Articulos, que, junto con un Articulo Adicional, se firmó en Bogotá el 18mo dia de Abril, de 1825; y por cuanto, despues de referir que habiendose establecido estensas relaciones comerciales por una serie de años entre los Dominios de Su Magestad Británica en Europa, y varias Provincias y Países de America que (unidos entonces) constituian el Estado de Colombia, habia parecido conveniente asi para la seguridad y fomento de aquella correspondencia comercial, como para mantener la buena inteligencia entre Su dicha Magestad Británica y el dicho Estado, que las relaciones que entonces subsistian entre ambos fuesen regularmente reconocidas y confirmadas por medio de un Tratado de Amistad, Comercio, y Navegacion; en este Tratado se declaró y se convino, que hubiera, bajo ciertos reglamentos y condiciones especificados en el, una reciproca libertad de comercio entre los Territorios de Su Magestad Británica en Europa, y los Territorios de Colombia: y por cuanto al firmar dicho Tratado, las Provincias de Venezuela se hallaban unidas á Colombia, y formaban una parte componente de ella, pero desde aquel tiempo se han separado final y enteramente de ella, y de todos los Países ó Provincias que estaban entonces, ó se hallan ahora unidas con ellas, y se han hecho un Estado separado é independiente, bajo un Gobierno distinto: y por cuanto es conveniente que las relaciones y correspondencia comercial que ahora ó antes subsistian entre los Territorios de Su Magestad Británica en Europa, y los Territorios del Estado de Venezuela, respectivamente, se continuasen y llevasen á efecto de la misma manera, y

spectively, should continue and be carried on in the same manner, and under the same regulations and conditions, as are expressed and specified in the aforesaid Treaty between His said Majesty and the State of Colombia, and that His Majesty should acknowledge the independence of the said State of Venezuela, it has been accordingly agreed to conclude a Convention for the purposes aforesaid.

The High Contracting Parties have therefore named as their Plenipotentiaries, that is to say :

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of His Britannic Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, a Member of Parliament, and His Principal Secretary of State for Foreign Affairs :

And the President, charged with the Executive Power of the State of Venezuela, the General of Division Mariano Montilla, a Member of the Order of the Liberators of Venezuela :

Who, after having communicated to each other their respective Full Powers, found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and the State of Venezuela, the Independence of which State is hereby acknowledged, recognized, and declared by His said Majesty, mutually agree to adopt and confirm, as effectually as if the same were inserted word for word herein, the several Articles and Provisions of the aforesaid Treaty concluded between His said Majesty and the State of Colombia, together with the aforesaid Additional Article thereto; and that all the matters and things contained in such Treaty and Additional Article, shall, *mutatis mutandis*, from and after the conclusion of the present Convention, be applied to the High Contracting Parties, their Subjects and Citizens, as effectually as if they were recited word for word herein; confirming and approving hereby all matters and things done or to be done, by their respective Subjects and Citizens, under the aforesaid Treaty, and in execution thereof.

bajo los mismos reglamentos y condiciones, espresados y especificados en el antedicho Tratado entre Su dicha Magestad y el Estado de Colombia, y que Su Magestad reconociese la independencia del dicho Estado de Venezuela, se ha convenido concluir una Convencion con los obgetos antedichos.

Al efecto, las Altas Partes Contratantes han nombrado como sus Plenipotenciarios, á saber :

Su Magestad el Rey del Reino Unido de la Gran Bretaña é Irlanda, al Muy Honorable Henrique Juan, Vizconde Palmerston, Baron Temple, Par de Irlanda, Miembro del Muy Honorable Consejo Privado de Su Magestad Británica, Caballero Gran Cruz de la Muy Honorable Orden del Baño, Miembro del Parlamento, y Su Principal Secretario de Estado en el Departamento de Negocios Estrangeros :

Y el Presidente, encargado del Poder Ejecutivo del Estado de Venezuela, al General de Division Mariano Montilla, de la Orden de los Libertadores de Venezuela :

Quienes, despues de haberse comunicado sus respectivos Plenos Poderes, hallados en buena y debida forma, han convenido y concluido los siguientes Articulos :—

ARTICULO I.

Su Magestad el Rey del Reino Unido de la Gran Bretaña é Irlanda, y el Estado de Venezuela, cuya Independencia por esta reconoce y declara Su dicha Magestad, convienen mutuamente en adoptar y confirmar, tan eficazmente como si se hubieran insertado palabra por palabra en esta Convencion, los diferentes Articulos y Provisiones del antedicho Tratado concluido entre Su dicha Magestad y el Estado de Colombia, junto con el antedicho Artículo Adicional de el, y que todos los negocios y materias contenidos en dicho Tratado y Artículo Adicional, serán aplicados, *mutatis mutandis*, desde la fecha de la presente Convencion, á las Altas Partes Contratantes, los Subditos y Ciudadanos de ellas, con tanta fuerza como si hubieran sido recapitulados palabra por palabra en esta; confirmando y aprobando por esta todos los negocios y materias hechos ó por hacer por sus respectivos Subditos y Ciudadanos, en virtud del antedicho Tratado, y en cumplimiento de el.

ARTICLE II.

The High Contracting Parties further mutually agree to adopt and confirm, as part of the present Convention, as effectually as if the same were inserted word for word herein, the Declaration explanatory of that part of the Seventh Article of the aforesaid Treaty concluded between His Britannic Majesty and the State of Colombia, wherein it was defined what Ships should be considered as entitled to the privileges of British and Colombian Ships, which Declaration was signed at London on the 7th day of November, 1825, by the Right Honourable George Canning, then His Britannic Majesty's Principal Secretary of State for Foreign Affairs, on behalf of His said Majesty, and by Señor Manuel José Hurtado, Plenipotentiary of the State of Colombia, on behalf of the said State; and that the said Declaration, and the several provisions therein contained, shall, from and after the ratification of the present Convention, *mutatis mutandis*, be applied to His said Majesty and his Subjects, and to the said State of Venezuela and its Citizens, as effectually as if the same were inserted word for word herein.

ARTICLE III.

The present Convention shall be ratified by His Majesty the King of the United Kingdom of Great Britain and Ireland, and by the President or Vice-President charged with the Executive Power of the State of Venezuela, with the consent and approbation of the Congress of the said State; and the Ratifications shall be exchanged at London within the space of six months, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the twenty-ninth day of October, in the year of our Lord one thousand eight hundred and thirty-four.

(L. S.) PALMERSTON.

ARTICULO II.

Las Altas Partes Contratantes mutuamente convienen ademas, en adoptar y confirmar, como parte de la presente Convencion, y con la misma fuerza como si se hubiera insertado palabra por palabra en esta, la Declaracion esplanatoria de aquella parte del Artículo VIImo del antedicho Tratado concluido entre Su Magestad Británica y el Estado de Colombia, en el cual se define que Buques han de considerarse con derecho á gozar los privilegios de Buques Británicos y Colombianos, la cual Declaracion se firmó en Londres el 7mo dia de Noviembre de 1825, por el Muy Honorable George Canning, entonces Principal Secretario de Su Magestad Británica en el Departamento de Relaciones Exteriores, de parte de Su dicha Magestad, y por el Señor Manuel Jose Hurtado, Plenipotenciario del Estado de Colombia, de parte del dicho Estado, y que la dicha Declaracion, y las varias provisiones contenidas en ella, serán aplicadas, desde la fecha de la ratificacion de la presente Convencion, *mutatis mutandis*, á Su dicha Magestad y sus Subditos, y al dicho Estado de Venezuela y sus Ciudadanos, con la misma fuerza como si se hubieran insertado en esta palabra por palabra.

ARTICULO III.

La presente Convencion será ratificada por Su Magestad el Rey del Reino Unido de la Gran Bretaña é Irlanda, y por el Presidente ó Vice-Presidente encargado del Poder Ejecutivo del Estado de Venezuela, con consentimiento y aprobacion del Congreso del mismo; y las Ratificaciones serán cangeadas en Londres en el termino de seis meses, ó antes si fuese posible.

En testimonio de lo cual, los respectivos Plenipotenciarios lo firmaron y sellaron con el Sello de sus Armas.

Hecho en Londres, á veinte nueve de Octubre, del año de Nuestro Señor de mil ochocientos treinta y cuatro.

(L. S.) M. MONTILLA.

TREATY

BETWEEN

HIS MAJESTY,

THE KING OF THE FRENCH,

AND

THE KING OF SARDINIA,

FOR THE

MORE EFFECTUAL SUPPRESSION

OF

THE SLAVE TRADE,

Signed at Turin, August 8, 1834.

WITH

AN ADDITIONAL ARTICLE THERETO.

*Presented to both Houses of Parliament by Command of His Majesty,
1835.*

LONDON:

PRINTED BY J. HARRISON AND SON.

T R E A T Y

BETWEEN

HIS MAJESTY, THE KING OF THE FRENCH,

AND

THE KING OF SARDINIA,

Containing the Accession of His Sardinian Majesty to two Conventions between Great Britain and France, for the more effectual suppression of the Slave Trade.

Signed at Turin, August 8, 1834.

With an Additional Article thereto, Signed at Turin, December 8, 1834.

SA Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi des Français, ayant conclu le 30 Novembre, 1831, et le 22 Mars, 1833, deux Conventions destinées à assurer la répression complète de la Traite des Noirs; les Hautes Parties Contractantes, conformément à l'Article IX de la première de ces Conventions, qui porte que les autres Puissances Maritimes seront invitées à y accéder, ont adressé cette invitation à Sa Majesté le Roi de Sardaigne.

Et Sa dite Majesté, animée des mêmes sentimens, et empressée de concourir avec ses deux Augustes Alliés au même but d'humanité, n'ayant pas hésité à accueillir leur proposition, les trois Hautes Puissances, dans la vue d'accomplir ce dessein généreux, et pour donner à l'Accession de Sa Majesté Sarde, ainsi qu'à son Acceptation par Sa Majesté Britannique, et par Sa Majesté le Roi des Français, l'authenticité convenable, et toute la solennité usitée, ont résolu de conclure à cet effet une Convention formelle, et ont en conséquence nommé pour leurs Plénipotentiaires, savoir :—

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Sir Auguste Jean Foster, Baronet du Royaume Uni, Membre du Très Honorable Conseil Privé de Sa Majesté Britannique, et son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Cour de Turin :

Sa Majesté le Roi des Français, M. Amable Guillaume Prosper Brugière, Baron de Barante, Pair de France, Conseiller d'Etat, Officier de l'Ordre Royal de la Légion d'Honneur, Ambassadeur de Sa Majesté le Roi des Français près la Cour de Turin :

Et Sa Majesté le Roi de Sardaigne, le Comte Victor Sallier de la Tour, Marquis de Cordon, Chevalier de l'Ordre Suprême de la Très Sainte Annunziata, Grand Cordon de l'Ordre des Saints Maurice et Lazare, Commandeur de l'Ordre Militaire, et Chevalier de l'Ordre Civil de Savoie, Grand'-Croix de plusieurs Ordres étrangers, Général de Cavalerie, Ministre et Premier Secrétaire d'Etat au Département des Affaires Etrangères :

Lesquels, après avoir échangé réciproquement leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivans :—

ARTICLE I.

Sa Majesté le Roi de Sardaigne accède aux Conventions conclues et signées le 30 Novembre, 1831, et le 22 Mars, 1833, entre Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi des Français, relativement à la répression de la Traite des Noirs, ainsi qu'à leurs Annexes, sauf les réserves et modifications exprimées dans les Articles II, III, et IV, ci-après, qui seront considérés comme additionnels aux dites Conventions et à leurs Annexes, et sauf les différences qui résultent nécessairement de la situation de Sa Majesté Sarde, comme Partie accédante aux Conventions en question après leur conclusion. Sa Majesté le Roi du Royaume Uni d'Angleterre et d'Irlande, et Sa Majesté le Roi des Français, ayant accepté la dite Accession, tous les Articles de ces deux Conventions, et toutes les dispositions

de leurs Annexes, seront, en conséquence, censés avoir été conclus et signés, de même que la présente Convention, directement entre Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, Sa Majesté le Roi des Français, et Sa Majesté le Roi de Sardaigne.

Leurs dites Majestés s'engagent et promettent réciproquement d'exécuter fidèlement, sauf les réserves et modifications stipulées par les présentes, toutes les clauses, conditions, et obligations qui en résultent ; et pour éviter toute incertitude, il a été convenu que les susdites Conventions, ainsi que leurs Annexes, seront insérées ici mot à mot, ainsi qu'il suit :—

[Here follow the Conventions of November 30, 1831, and March 22, 1833, and the Annex containing the Instructions to Cruizers, which have already been laid before Parliament.]

Instructions portant autorisation de visiter et arrêter les bâtimens marchands Anglais se livrant à la Traite des Noirs, ou équipés pour ce trafic.

Monsieur,

Une Convention a été conclue à Paris le 30 Novembre, 1831, entre la France et la Grande Bretagne, pour la répression de la Traite des Noirs. Aux termes de cette Convention, des Croiseurs appartenant à l'un ou à l'autre des deux pays, doivent être autorisés, sous les Instructions spéciales qui y sont mentionnées, à visiter et à arrêter, dans l'étendue des limites particulières, des navires marchands de l'autre Nation se livrant à la traite, ou soupçonnés d'être armés pour ce trafic. Une Convention Supplémentaire a été en outre conclue entre les dits pays, le 22 Mars, 1833, dans le but d'expliquer et de développer quelques unes des dispositions de la Convention susmentionnée ; et à cette Convention Supplémentaire sont annexées des Instructions pour les Croiseurs qui doivent être employés au dit service.

J'ai jugé convenable que le bâtiment que vous commandez fût un des Croiseurs Français muni des dites Instructions spéciales.

Je vous envoie ci-joint des expéditions de la Convention principale du 30 Novembre, 1831, et des Instructions y annexées, dont il a été fait mention ci-dessus ; et je vous autorise en conséquence, et je vous donne pouvoir, en vertu du présent Ordre et du Mandat ci-joint du Gouvernement de Sa Majesté Britannique, de visiter les navires marchands sous Pavillon Anglais soupçonnés de se livrer à la Traite des Noirs, dans les limites indiquées dans l'Article I. de la Convention du 30 Novembre, 1831, (avec l'extension conditionnelle qui s'y trouve expliquée) et d'agir à l'égard de ceux de ces navires qui se seront livrés à un commerce d'esclaves, ou qui seront soupçonnés d'être armés pour ce trafic, ainsi qu'il est indiqué dans ces divers documens.

Je vous charge de vous conformer très strictement à toutes les dispositions et stipulations qui s'y trouvent contenues, en vous recommandant d'avoir soin d'exercer l'autorité qui vous est ainsi conférée, de la manière la plus douce, et avec tous les égards que se doivent des Nations alliées et amies, et de coopérer cordialement avec les commandans de tout bâtiment de guerre Anglais employé au même service.

Recevez, Monsieur, les assurances de ma parfaite considération.

Donné à Paris, le _____

Le Ministre Secrétaire d'Etat de la Marine et des Colonies.

Mandat en vertu duquel un bâtiment de guerre Anglais pourra visiter et arrêter un bâtiment de commerce Français engagé dans la Traite des Noirs, ou équipé pour ce trafic.

Dans une Convention entre la France et la Grande Bretagne, signée à Paris le 30 Novembre, 1831, pour la répression de la Traite des Noirs, et dans

une Convention Supplémentaire relative au même objet, en date du 22 Mars, 1833, il a été stipulé que certains Croiseurs seraient autorisés, conformément aux Instructions spéciales qui y sont mentionnées, à visiter et à arrêter, dans l'étendue de limites particulières, des navires marchands de l'autre Nation, se livrant à la Traite des Noirs, ou soupçonnés d'être armés pour ce trafic.

Attendu que le Gouvernement de Sa Majesté Britannique a jugé convenable que le bâtiment que vous commandez fût l'un des Croiseurs Anglais pourvu des dites Instructions spéciales, et que vous devez recevoir en conséquence des Instructions du dit Gouvernement pour vous guider dans le dit service, je vous autorise et je vous donne pouvoir, *en vertu de ces Instructions et du présent Mandat*, de visiter des bâtimens marchands sous Pavillon Français soupçonnés de se livrer à la traite dans les limites indiquées dans l'Article I. de la Convention du 30 Novembre, 1831, avec l'extension conditionnelle qui s'y trouve indiquée, et d'agir à l'égard des bâtimens qui se seront livrés à la traite, ou qui seront soupçonnés d'être équipés pour ce trafic, ainsi qu'il est prescrit dans la dite Convention, et dans la Convention Supplémentaire, ainsi que dans les Instructions qui y sont annexées.

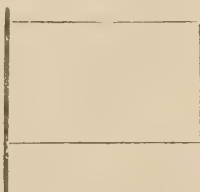
Donné à Paris, le _____

*Le Ministre Secrétaire d'Etat au Département de la
Marine et des Colonies.*

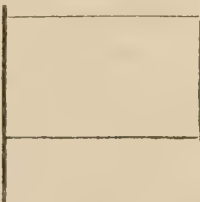
Signaux particuliers qui devront être employés par les bâtimens de guerre Français et Anglais, auxquels auront été données des Instructions en conséquence du Traité conclu le 30 Novembre, 1831, pour la suppression de la Traite des Noirs.

Secret.

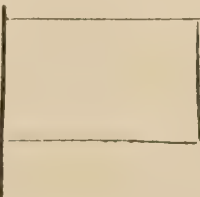
LE bâtiment qui fera le premier signal, devra hisser le Pavillon ci-dessous à la tête du mât de misaine.



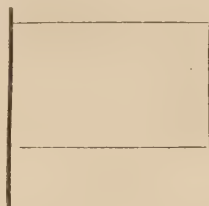
Le bâtiment auquel le signal aura été fait, y répondra en hissant le Pavillon ci-après à la tête du grand mât.



Le bâtiment qui aura fait le premier signal, devra hisser le Pavillon suivant à la tête du grand mât.



Le second bâtiment répondra en hissant le Pavillon ci-dessous à la tête du mât de misaine.



ARTICLE II.

Il est convenu, relativement à l'Article III. de la Convention du 30 Novembre, 1831, ci-dessus transcrite, que Sa Majesté le Roi de Sardaigne fixera suivant sa convenance, le nombre des Croiseurs Sardes qui devront être employés au service mentionné dans le dit Article, et les stations où ils devront établir leurs croisières.

ARTICLE III.

Le Gouvernement de Sa Majesté le Roi de Sardaigne fera connaître aux Gouvernemens de la Grande Bretagne et de France, conformément à l'Article IV. de la Convention du 30 Novembre, 1831, les bâtimens de guerre Sardes qui devront être employés à la répression de la Traite, afin que les Mandats nécessaires à leur Commandans soient délivrés. Les Mandats qui devront être délivrés par la Sardaigne seront remis après que la notification du nombre des Croiseurs Britanniques et Français destinés à être employés, aura été faite au Gouvernement Sarde.

ARTICLE IV.

Il est convenu, en ce qui concerne l'Article V. des Instructions annexées à la Convention Supplémentaire du 22 Mars, 1833, que tous les navires Sardes, ou portant le Pavillon de Sardaigne, qui pourront être arrêtés, en exécution des Conventions ci-dessus transcrites, par les Croiseurs de Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, ou de Sa Majesté le Roi des Français, employés dans les stations d'Amérique, d'Afrique, et de Madagascar, seront conduits et remis dans le port de Gênes.

ARTICLE V.

Le présent Traité sera ratifié, et les Ratifications en seront échangées à Turin dans le délai de trois mois, ou plutôt s'il est possible.

En foi de quoi les Plénipotentiaires sus-dénommés ont signé la présente Convention en trois originaux, et y apposé le cachet de leurs armes.

Fait à Turin, le 8 Août, 1834.

AUG. J. FOSTER.

(L. S.)

BARANTE.

(L. S.)

DE LA TOUR.

(L. S.)

(Translation.)

His Majesty The King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, having concluded on the 30th of November, 1831, and the 22d of March, 1833, two Conventions intended to ensure the complete suppression of the Slave Trade; the High Contracting Parties, conformably to the 9th Article of the first of these Conventions, which states that the other Maritime Powers shall be invited to accede to it, have addressed this invitation to His Majesty the King of Sardinia.

And His said Majesty, animated with the same sentiments, and earnest to concur with his two August Allies in the same humane object, having without hesitation assented to their proposal, the Three High Powers, with the view of accomplishing this generous design, and of giving due authenticity and all accustomed solemnity to the Accession of His Sardinian Majesty, and to the Acceptance thereof by His Britannick Majesty, and by His Majesty the King of the French, have resolved to conclude to this effect a formal Convention, and have in consequence named for their Plenipotentiaries, that is to say:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Augustus John Foster, a Baronet of the United Kingdom, a Member of His Britannic Majesty's Most Honourable Privy Council, and his Envoy Extraordinary and Minister Plenipotentiary at the Court of Turin:

His Majesty the King of the French, M. Amable Guillaume Prosper Brugière, Baron de Barante, a Peer of France, a Councillor of State, Officer of the Royal Order of the Legion of Honour, Ambassador of His Majesty the King of the French at the Court of Turin:

And His Majesty the King of Sardinia, the Count Victor Sallier de la Tour, Marquis de Cordon, Knight of the Supreme Order of the Most Holy Annunziata, Grand Cordon of the Order of St. Maurice and St. Lazarus, Commander of the Military Order, and Knight of the Civil Order of Savoy, Grand Cross of several Foreign Orders, General of Cavalry, Minister and First Secretary of State for the Department of Foreign Affairs:

Who, after having reciprocally exchanged their Full Powers, found to be in good and due form, have agreed upon the following Articles:—

ARTICLE I.

His Majesty the King of Sardinia accedes to the Conventions concluded and signed on the 30th of November, 1831, and on the 22d of March, 1833, between His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, relating to the suppression of the Slave Trade, as well as to their Annexes, excepting the reservations and modifications expressed in the 2d, 3d and 4th Articles hereinafter given, which Articles shall be considered additional to the said Conventions and to their Annexes, and excepting the differences which necessarily result from the situation of His Sardinian Majesty, as a party acceding to the Conventions in question after their conclusion. His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, having accepted the said Accession, all the Articles of these two Conventions, and all the conditions of their Annexes, shall, in consequence, be held to have been concluded and signed, in the same manner as the present Convention, directly between His Majesty the King of the United Kingdom of Great Britain and Ireland, His Majesty the King of the French, and His Majesty the King of Sardinia.

Their said Majesties engage and promise reciprocally to fulfil faithfully, excepting the reservations and modifications hereby stipulated for, all the

clauses, conditions, and obligations, which result therefrom; and in order to prevent any uncertainty, it has been agreed that the abovementioned Conventions, as well as their Annexes, shall be inserted here word for word, as follows :—

[Here follow the Conventions of November 30, 1831, and March 22, 1833, and the Annex containing the Instructions to Cruizers, which have already been laid before Parliament.]

Instructions authorizing the visit and detention of English Merchant Vessels engaged in the Slave Trade, or fitted out for it.

Sir,

A Convention was concluded at Paris on the 30th of November, 1831, between France and Great Britain, for the suppression of the Slave Trade. According to the terms of that Convention, Cruizers belonging to either of the two Countries are to be authorized, under the special Instructions which are therein mentioned, to visit and detain, within the extent of certain limits, merchant vessels of the other Nation engaged in the trade, or suspected of being fitted out for such trade. A Supplementary Convention was moreover concluded between the two Countries on the 22d of March, 1833, for the purpose of explaining and developing some of the provisions of the Convention abovementioned; and to this Supplementary Convention were annexed Instructions for the Cruizers which are to be employed on the said service.

I have judged it expedient that the vessel under your command should be one of the French Cruizers furnished with the said special Instructions.

I herewith transmit to you copies of the principal Convention of the 30th November, 1831, and of the Instructions thereto annexed, which are abovementioned; and, in consequence, I authorize you, and confer upon you the power, in virtue of the present Order, and of the inclosed Warrant from the Government of His Britannic Majesty, to visit merchant vessels under the English Flag, suspected of being engaged in the Slave Trade, within the limits described in the 1st Article of the Convention of the 30th November, 1831, (with the conditional extension which is therein explained,) and to act with regard to such of these vessels as may be engaged in a traffic of Slaves, or as may be suspected of being fitted out for that traffic, in the manner which is prescribed by those different documents.

I instruct you to conform most strictly to all the provisions and stipulations which are therein contained; and desire that you will be careful to exercise the authority with which you are thus invested, in the mildest manner, and with all the consideration which is due between allied and friendly Nations, and to co-operate cordially with the Commanders of any English ship of war employed on the same service.

Accept, Sir, the assurances of my perfect consideration.

Given at Paris, the _____

*The Minister Secretary of State for the Marine
and Colonies.*

Warrant in virtue of which an English Ship of War may visit and detain a French Merchant Vessel engaged in the Slave Trade, or fitted out for it.

In a Convention between France and Great Britain, signed at Paris, November 30, 1831, for the suppression of the Slave Trade, and in a Supple-

mentary Convention relating to the same object, dated the 22d March, 1833, it was stipulated that certain Cruizers should be authorised, conformably with the special Instructions which are therein mentioned, to visit and detain, within the extent of certain limits, merchant vessels of the other Nation engaged in the Slave Trade, or suspected of being fitted out for that traffic.

Whereas the Government of His Britannic Majesty has judged it expedient that the vessel under your command should be one of the English Cruizers furnished with the said special Instructions; and whereas you will, in consequence, receive from the said Government instructions for your guidance in the execution of the said service, I authorise you and confer upon you the power, *in virtue of such Instructions and of the present Warrant*, to visit merchant vessels under the French Flag, suspected of being engaged in the Trade, within the limits described in the 1st Article of the Convention of the 30th November, 1831, with the conditional extension which is therein specified, and to act with regard to such vessels as shall be engaged in the Slave Trade, or as shall be suspected of being fitted out for that traffic, in the manner prescribed in the said Convention, and in the Supplementary Convention, as well as in the Instructions which are thereto annexed.

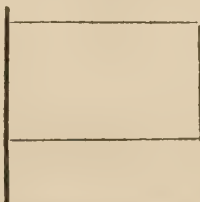
Given at Paris, the _____

*The Minister Secretary of State for the Department
of the Marine and Colonies.*

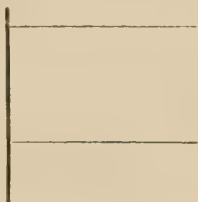
Private signals which are to be employed by the French and English Ships of War, which may be furnished with Instructions in consequence of the Treaty concluded on the 30th November, 1831, for the suppression of the Slave Trade.

Secret.

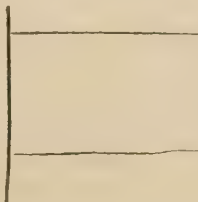
The vessel which shall make the first signal, shall hoist the following Flag at the mizen mast head.



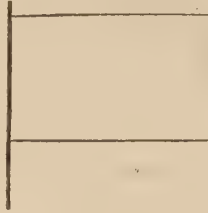
The vessel to which the signal shall have been made, shall reply thereto, by hoisting the following Flag at the mainmast head.



The vessel which shall have made the first signal shall hoist the following Flag at the main mast head.



The second vessel shall reply by hoisting the following Flag at the mizen mast head.



ARTICLE II.

It is agreed, with reference to Article III. of the Convention of the 30th November, 1831, herein-above transcribed, that His Majesty the King of Sardinia shall fix, according to his convenience, the number of Sardinian Cruizers which shall be employed on the service mentioned in the said Article, and the stations on which they shall cruize.

ARTICLE III.

The Government of His Majesty the King of Sardinia shall make known to the Governments of Great Britain and of France, conformably to Article IV. of the Convention of the 30th November, 1831, the Sardinian ships of war which are to be employed in the suppression of the Trade, in order that the necessary Warrants for their Commanders may be delivered. The Warrants which are to be delivered by Sardinia shall be issued after notification of the number of British and French Cruizers intended to be employed, shall have been made to the Sardinian Government.

ARTICLE IV.

It is agreed, with reference to the 5th Article of the Instructions annexed to the Supplementary Convention of March 22, 1833, that all Sardinian vessels, or vessels bearing the Sardinian Flag, which may be detained, in execution of the Conventions herein-above transcribed, by the Cruizers of His Majesty the King of the United Kingdom of Great Britain and Ireland, or of His Majesty the King of the French, employed on the stations of America, of Africa, and of Madagascar, shall be carried into, and delivered at, the port of Genoa.

ARTICLE V.

The present Treaty shall be ratified, and the Ratifications shall be exchanged at Turin in the space of three months, or sooner if possible.

In witness whereof the abovenamed Plenipotentiaries have signed the present Convention in three originals, and have affixed thereto the seal of their arms.

Done at Turin, the 8th of August, 1834.

AUG. J. FOSTER.
(L. S.)

BARANTE.
(L. S.)

DE LA TOUL
(L. S.)

ADDITIONAL ARTICLE.

Whereas by the fourth Article of the Treaty signed at Turin on the 8th day of August, 1834, whereby the King of Sardinia accedes to the two Conventions concluded between their Majesties the King of the United Kingdom of Great Britain and Ireland, and The King of the French, on the 30th of November, 1831, and on the 22nd of March, 1833, it is stipulated that all vessels under the Flag of Sardinia, which, in pursuance of the before-mentioned Treaty and Conventions, may be detained by the Cruizers either of His Majesty the King of the United Kingdom of Great Britain and Ireland, or of His Majesty the King of the French, stationed on the coasts of America, Africa, or Madagascar, shall be carried or sent to Genoa; and whereas the landing of Negroes from such ships at Genoa may be productive of great inconvenience; the undersigned Plenipotentiaries of the Three Powers, parties to the aforesaid Treaty of Accession, being hereunto specially authorized and instructed by their respective Sovereigns, have agreed to the following Additional Article to the before-mentioned Treaty.

ARTICLE.

Negroes who shall be found on board vessels under the Flag of Sardinia, which may be so detained, and which, according to the stipulations of the said Treaty, are to be sent to Genoa, shall be landed at some port nearer than Genoa to the place where such slave vessels may be found.

That is to say:

1°. If such Sardinian vessel shall be detained by an English Cruizer, the Negroes found on board such vessel shall be landed at that port or place, to which an English slave vessel found and detained under similar circumstances, and at the same place, by a French Cruizer, would, under the aforesaid Conventions with France, be sent or taken.

2°. If such Sardinian vessel shall be detained by a French Cruizer, the

ARTICLE ADDITIONNEL.

Attendu que par l'Article IV. du Traité signé à Turin le 8 d'Août, 1834, par lequel Sa Majesté le Roi de Sardaigne accède aux deux Conventions conclues entre leurs Majestés le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, et le Roi des Français, le 30 Novembre, 1831, et le 22 Mars, 1833, il est stipulé que tous navires sous Pavillon Sarde, qui, en vertu du Traité et des Conventions susmentionnées, seraient arrêtés par les Croiseurs de Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, ou de Sa Majesté le Roi des Français, stationnés sur les côtes de l'Amérique, de l'Afrique, ou de Madagascar, seront conduits ou envoyés à Gênes; et attendu que le débarquement à Gênes de Nègres qui se trouveraient à bord de ces bâtimens pourrait entraîner de graves inconvéniens; les Soussignés Plénipotentiaires des trois Puissances Signataires du susdit Traité d'Accession, à ce spécialement autorisés, et conformément aux Instructions que chacun d'eux a reçues de son Souverain, sont convenus de l'Article suivant Additionnel au susdit Traité.

ARTICLE.

Les Nègres trouvés à bord des bâtimens sous Pavillon Sarde qui seraient ainsi arrêtés, et qui, conformément aux stipulations du dit Traité, doivent être envoyés à Gênes, seront débarqués sur un point plus rapproché que Gênes du lieu où les dits bâtimens négriers auront été rencontrés.

C'est à dire que:

1°. Si un bâtiment négrier Sarde est arrêté par un Croiseur Anglais, les Nègres trouvés à bord de ce navire seront débarqués au port au dans l'endroit auquel un bâtiment négrier Anglais trouvé et arrêté dans des circonstances semblables, et dans le même endroit, par un Croiseur Français, serait, d'après les susdites Conventions avec la France, envoyé ou conduit.

2°. Si un bâtiment négrier Sarde est arrêté par un Croiseur Français,

Negroes found on board such vessel shall be landed at that port or place, to which a French Slave Vessel found and detained under similar circumstances, and at the same place, by an English Cruiser, would, under the aforesaid Conventions with France, be sent or taken.

3°. If such Sardinian Vessel shall be detained by a Sardinian Cruiser, the Negroes found on board shall be landed at the nearest of those ports or places, English or French, to which, under the aforesaid Conventions with France, the vessel having such slaves on board, would have been taken or sent, if such vessel had been either English or French, instead of being Sardinian, and if she had been detained by an English or by a French Cruiser.

The present Additional Article shall have the same force and effect as if it had been inserted word for word in the before-mentioned Treaty of Accession, signed at Turin on the 8th of August last.

It shall be ratified by each of the High Contracting Parties, and the Ratifications shall be exchanged at Turin within the space of six months.

In faith of which, we, the undersigned Plenipotentiaries, have caused three copies of this Additional Article to be made perfectly conformable to each other, have signed them with our hands, and have thereunto affixed the seal of our Arms.

Done at Turin, this 8th day of December, 1834.

(L. S.) HENRY EDWARD FOX.

(L. S.) BARANTE.

(L. S.) DE LA TOUR.

les Nègres trouvés à bord du dit navire seront débarqués au port ou dans l'endroit auquel un bâtiment négrier Français trouvé et arrêté dans des circonstances semblables, et dans le même endroit, par un Croiseur Anglais, serait, d'après les susdites Conventions avec la France, envoyé ou conduit.

3°. Si un bâtiment négrier Sarde est arrêté par un Croiseur Sarde, les Nègres trouvés à bord de ce bâtiment seront débarqués au plus rapproché des ports ou lieux de débarquement, Anglais ou Français, auquel, d'après les susdites Conventions avec la France, le navire ayant des esclaves à bord aurait été conduit ou envoyé, si le dit navire eût été Anglais ou Français au lieu d'être Sarde, et s'il eût été arrêté par un Croiseur Anglais ou Français.

Le présent Article Additionnel, après avoir été dûment ratifié, aura la même force et le même effet que s'il avait été textuellement inséré dans le susdit Traité d'Accession, signé à Turin le 8 Août dernier.

Il sera ratifié par chacune des Hautes Puissances Contractantes, et les Ratifications en seront échangées dans l'espace de six mois à Turin.

En foi de quoi, nous Plénipotentiaires soussignés avons fait faire trois copies du présent Article Additionnel, parfaitement conformes entre elles, les avons signées, et y avons apposé le cachet de nos armes.

Fait à Turin, ce jour huit Décembre, 1834.

(L. S.) HENRY EDWARD FOX.

(L. S.) BARANTE.

(L. S.) DE LA TOUR.

TREATY

BETWEEN

HIS MAJESTY,

THE KING OF THE FRENCH,

AND

THE KING OF DENMARK,

FOR THE

MORE EFFECTUAL SUPPRESSION

OF

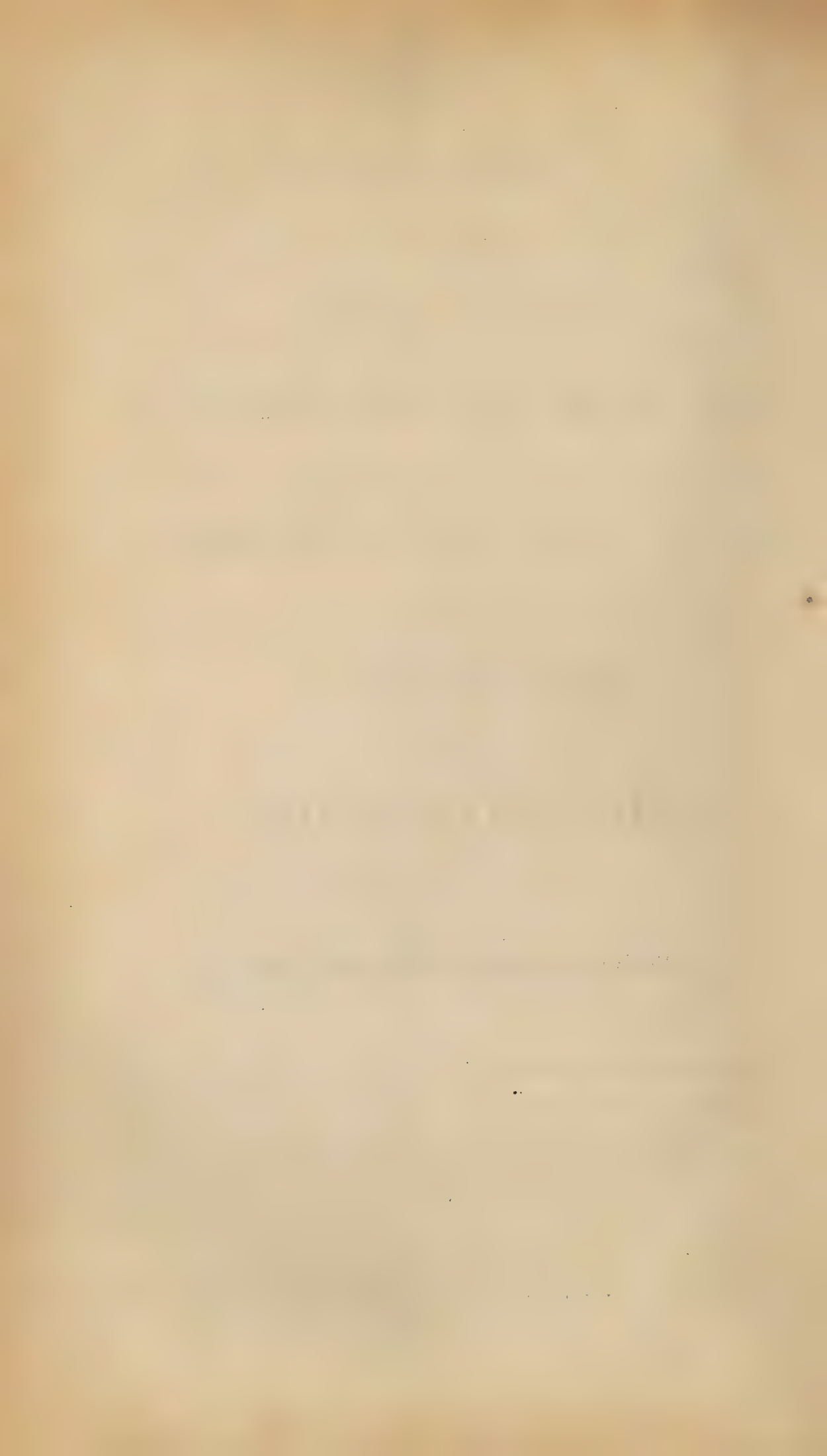
THE SLAVE TRADE.

Signed at Copenhagen, July 26, 1834.

*Presented to both Houses of Parliament by Command of His Majesty,
1835.*

LONDON:

PRINTED BY J. HARRISON AND SON.



T R E A T Y

BETWEEN

HIS MAJESTY, THE KING OF THE FRENCH, AND THE KING OF DENMARK,

Containing the Accession of His Danish Majesty to two Conventions between Great Britain and France, for the more effectual suppression of the Slave Trade.

Signed at Copenhagen, July 26, 1834.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, having concluded on the 30th of November, 1831, and the 22nd March, 1833, two Conventions intended to insure the complete suppression of the Slave Trade;

The High Contracting Parties, conformably to the ninth Article of the first of these Conventions, which states that the other Maritime Powers shall be invited to accede to it, having addressed an invitation to that effect to His Majesty the King of Denmark; and His said Majesty, animated with the same sentiments which induced him to suppress that trade in the Danish Colonies at a period when this measure had not yet been taken by any other Power, and earnest to concur with his two August Allies in the same humane object, having without hesitation assented to the proposal;

The three High Powers, with the view of accomplishing this generous design, and of giving due authenticity, and all accustomed solemnity to the Accession of His Danish Majesty, and to the Acceptance thereof by His Britannic Majesty, and by His Majesty the King of the French, have resolved to conclude to this effect a formal Treaty, and have in consequence named for their Plenipotentiaries, that is to say:—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Henry Watkin Williams Wynn, Knight Grand Cross of the Royal Hanoverian Order of the

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, et Sa Majesté le Roi des Français, ayant conclu le 30 Novembre, 1831, et le 22 Mars, 1833, deux Conventions destinées à assurer la répression complète de la Traite des Noirs;

Les Hautes Parties Contractantes, conformément à l'Article IX de la première de ces Conventions, qui établit que les autres Puissances Maritimes seront invitées à y accéder, ayant adressé une invitation à cet effet à Sa Majesté le Roi de Danemarck; et Sa dite Majesté, animée des mêmes sentimens qui lui ont inspiré l'abolition de ce trafic dans les Colonies Danoises, à une époque où cette mesure n'avait encore été prise par aucune autre Puissance, et empressée de concourir avec ses deux Augustes Alliés au même but d'humanité, n'ayant pas hésité à accueillir leur proposition;

Les trois Hautes Puissances, dans la vue d'accomplir ce dessein généreux, et pour donner à l'Accession de Sa Majesté Danoise, ainsi qu'à son Acceptation par Sa Majesté Britannique et Sa Majesté le Roi des Français, l'authenticité convenable, et la solennité d'usage, ont résolu de conclure à cet effet un Traité formel, et ont en conséquence nommé pour leurs Plénipotentiaires, savoir:—

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, le Très Honorable Sir Henry Watkin Williams Wynn, Chevalier Grand' Croix de l'Ordre Hanovrien des Guelphes, Membre

Guelphs, one of His Britannic Majesty's most Honourable Privy Council, and his Envoy Extraordinary and Minister Plenipotentiary at the Court of Denmark :

His Majesty the King of the French, M. Napoléon Lannes, Duc de Montebello, Peer of France, Knight of the Royal Order of the Legion of Honour, his Envoy Extraordinary and Minister Plenipotentiary at the Court of Denmark :

His Majesty the King of Denmark, M. Hans de Krabbe-Carisius, his Minister of State, and Chief of his Department for Foreign Affairs, Knight Grand Cross of his Order of Dannebrog with the Silver Cross, and Knight of the Second Class of the Order of St. Anne in Russia with diamonds :

Who, after having reciprocally exchanged their Full Powers, found to be in good and due form, have agreed upon the following Articles :—

ARTICLE I.

His Majesty the King of Denmark accedes to the Conventions concluded and signed on the 30th of November, 1831, and on the 22nd March, 1833, between His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, relating to the suppression of the Slave Trade, as well as to their Annex, excepting the reservations and modifications expressed in the 2nd, 3rd, and 4th Articles hereinafter given, which Articles shall be considered Additional to the said Conventions and to their Annex, and excepting the differences which necessarily result from the situation of His Danish Majesty, as a Party acceding to these Treaties after their conclusion.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, accept the said Accession : all the Articles of these two Conventions, and all the conditions of their Annex, shall, in consequence, be held to have been agreed upon, concluded, and signed directly between His Majesty the King of the United Kingdom of Great Britain and Ireland, His Majesty the King of the French, and His Majesty the King of Denmark.

Their said Majesties engage and promise reciprocally to each other to fulfil faithfully all the clauses, conditions, and obligations thereof, excepting the reservations and modifications herein stipulated

du Très Honorable Conseil Privé de Sa Majesté Britannique, et son Envoyé Extraordinaire et Ministre Plénipotentiaire à la Cour de Danemarck :

Sa Majesté le Roi des Français, le Sieur Napoléon Lannes, Duc de Montebello, Pair de France, Chevalier de l'Ordre Royal de la Légion d'Honneur, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Cour de Danemarck :

Sa Majesté le Roi de Danemarck, le Sieur Hans de Krabbe-Carisius, son Ministre intime d'Etat, et Chef de son Département des Affaires Etrangères, Grand' Croix de son Ordre de Dannebrog avec la Croix d'Argent, et Chevalier de l'Ordre de Sainte Anne de Russie de la Seconde Classe en diamans :

Lesquels, après avoir réciproquement échangé leurs Pleins-pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivans :—

ARTICLE I.

Sa Majesté le Roi de Danemarck accède aux Conventions conclues et signées le 30 Novembre, 1831, et le 22 Mars, 1833, entre Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, et Sa Majesté le Roi des Français, relativement à la répression de la Traite des Noirs, ainsi qu'à leur Annexe, sauf les réserves et modifications exprimées dans les Articles II, III, et IV ci-après, qui seront considérés comme Additionnels aux dites Conventions et à leur Annexe, et sauf la différence qui résulte nécessairement de la situation de Sa Majesté Danoise, comme Partie accédante à ces Traités après leur conclusion.

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, et Sa Majesté le Roi des Français, acceptent la dite Accession ; en conséquence, tous les Articles de ces deux Conventions, et toutes les dispositions de leur Annexe, seront censés avoir été convenus, conclus, et signés directement entre Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, Sa Majesté le Roi des Français, et Sa Majesté le Roi de Danemarck.

Leurs dites Majestés s'engagent et se promettent réciproquement d'en exécuter fidèlement toutes les clauses, conditions, et obligations, sauf les réserves et modifications ci-après stipulées ; et afin de pré-

for; and in order to prevent any uncertainty, it has been agreed that the said Conventions; and the Annex containing the Instructions to Cruizers, shall be inserted here word for word, as follows:—

venir toute incertitude, il a été arrêté que les dites Conventions, avec l'Annexe contenant les Instructions pour les Croiseurs, seront insérées ici mot-à-mot, ainsi qu'il suit:—

[Here follow the Conventions of November 30, 1831 and March 22, 1833, and the Annex containing the Instructions to Cruizers, which have already been laid before Parliament.]

ARTICLE II.

It is agreed, with reference to Article III of the Convention of the 30th November, 1831, herein-above transcribed, that His Majesty the King of Denmark shall fix according to his convenience, the number of Danish Cruizers which shall be employed on the service mentioned in the said Article, and the stations on which they shall cruize.

ARTICLE II.

Il a été convenu, relativement à l'Article III de la Convention du 30 Novembre, 1831, ci-dessus transcrite, que Sa Majesté le Roi de Danemarck fixera selon ses convenances, le nombre des Croiseurs Danois qui seront employés au service mentionné dans le dit Article, et les stations où ils devront croiser.

ARTICLE III.

The Government of His Majesty the King of Denmark shall make known to the Governments of Great Britain and of France, conformably to Article IV of the Convention of 30th November, 1831, the Danish ships of war which are to be employed in the suppression of the trade, in order to obtain for their Commanders the necessary Warrants.

The Warrants which are to be delivered by Denmark, shall be issued as soon as notification of the number of British and French Cruizers intended to be employed shall be made to the Danish Government.

ARTICLE III.

Le Gouvernement de Sa Majesté le Roi de Danemarck fera connaître aux Gouvernemens de la Grande Bretagne et de la France, conformément à l'Article IV de la Convention du 30 Novembre, 1831, les bâtimens de guerre Danois qui devront être employés à la répression de la traite, afin d'obtenir pour leurs Commandans les Mandats nécessaires.

Les Mandats que le Danemarck devra délivrer seront expédiés aussitôt que notification du nombre des Croiseurs Britanniques et Français destinés à être employés sera faite au Gouvernement Danois.

ARTICLE IV.

It is agreed, with reference to the 5th Article of the Instructions annexed to the Supplementary Convention of March 22, 1833, that all Danish vessels which, in pursuance of the Conventions herein-above transcribed, may be detained by the Cruizers of His Majesty the King of the United Kingdom of Great Britain and Ireland, or of His Majesty the King of the French, employed on the American station, shall be carried and delivered to the Danish Authorities at Santa Cruz.

That all Danish vessels detained by British or French Cruizers on the African station, shall be delivered to the Danish

ARTICLE IV.

Il est convenu, en ce qui se rapporte à l'Article V des Instructions annexées à la Convention Supplémentaire du 22 Mars, 1833, que tous les navires Danois qui, par suite des Conventions ci-dessus transcrites, seraient arrêtés par les Croiseurs de Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, ou de Sa Majesté le Roi des Français, employés dans la station d'Amérique, seront conduits et remis aux Autorités Danoises à Ste. Croix.

Que tous les navires Danois arrêtés par les Croiseurs Britanniques ou Français de la station d'Afrique, seront remis

Authorities at the Fort of Christiansburgh on the Gold Coast of Guinea.

And that every vessel under the Danish flag which shall be detained by the British or French Cruizers employed on the Madagascar station, shall be delivered to the Authorities at one or other of the Danish possessions herein-above mentioned, or to the Danish Authorities at Tranquebar in the East Indies, if circumstances shall render this last-mentioned destination desirable.

ARTICLE V.

The present Treaty shall be ratified, and the Ratifications shall be exchanged at Copenhagen in the space of three months, or sooner if possible.

In faith of which, the above-named Plenipotentiaries have signed the present Treaty in three originals, and have affixed thereto the seal of their arms.

Done at Copenhagen, this twenty-sixth day of July, one thousand eight hundred and thirty-four.

(L.S.) H. W. WILLIAMS WYNN.

(L.S.) NAP. LANNES, DUC DE
MONTEBELLO.

(L.S.) HANS KRABBE-CARISIUS.

aux Autorités Danoises au Fort de Christiansbourg sur la Côte d'Or de Guinée.

Et que tout bâtiment sous pavillon Danois, qui serait arrêté par les Croiseurs Britanniques ou Français employés dans la station de Madagascar, sera remis aux Autorités de l'une ou de l'autre des possessions Danoises ci-dessus mentionnées, ou aux Autorités Danoises à Tranquebar aux Indes Orientales, si les circonstances rendent cette dernière destination désirable.

ARTICLE V.

Le présent Traité sera ratifié, et les Ratifications seront échangées à Copenhague dans le délai de trois mois, ou plutôt si faire se peut.

En foi de quoi, les Plénipotentiaires sus-dénommés ont signé le présent Traité en trois originaux, et y ont apposé le sceau de leurs armes.

Fait à Copenhague, le vingt-six Juillet, de l'an de grâce mil huit cent trente-quatre.

(L.S.) H. W. WILLIAMS WYNN.

(L.S.) NAP. LANNES, DUC DE
MONTEBELLO.

(L.S.) HANS KRABBE-CARISIUS.

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AND

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1835.

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- Bill to consolidate the jurisdiction of the several Ecclesiastical Courts in England and Wales into one court, and to enlarge the powers and authorities of such court, and to alter and amend the law in certain ecclesiastical matters; (363.) - II. 335
- Bill for making one of the prebends in the collegiate church of St. Peter Westminster subservient to the spiritual wants of the parish of St. Margaret Westminster; (540.) - - - - - II. 373

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- Report of Commissioners appointed by His Majesty to inquire into the ecclesiastical revenues of England and Wales - - - - - XXII. 15
- First Report of Commissioners appointed to consider the state of the Established Church with reference to ecclesiastical duties and revenues; (54.) - XXII. 1

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Felony :

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Foreign Enlistment :

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Order in Council, and communications, relative to the exemptions of British subjects, who may enter into the service of the Queen of Spain, from the provisions of the Foreign Enlistment Act ; (323.) - - - - - XXXVII. 629

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Forgery :

Bill to provide that persons accused of forgery in Scotland shall not be entitled to bail, unless in certain cases ; (516.) - - - - - II. 805

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Geneva :

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Glasgow Debtors :

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Bill for the regulation of the University of Glasgow; (366. 501.) - IV. 589. 605

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Bill to repeal the duty and drawback on flint glass, to impose other duties and another drawback in lieu thereof, and to reduce the drawback on German sheet glass exported in panes, and to repeal the drawback on unground and unpolished plate glass, and to amend the laws relating to the duties on glass; (532.) - - - - - II. 809

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Grand Jury Presentments, Ireland :

Bill to empower grand juries in Ireland to raise money by presentment, for the construction, enlargement and repairs of piers and quays; (331. 548.) - II. 817. 825

Abstracts of the accounts of presentments made by grand jury of the several counties, &c. under various Acts, 1834; (220.) - - - - - XXXVII. 761

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Bill amending the laws relating to grants in custodiam in Ireland; (in 486.) II. 739

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Letter from Secretary at War to the Secretary of the Treasury, respecting the office of governor of Guernsey, emoluments from tithes of corn, King's revenue, &c.; statement of amount, &c.; (18.) - - - - - XLVII. 3

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Gunpowder, Ireland:

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Hackney Carriages:

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Peace Preservation, Ireland:

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Public Carriages :

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Public Income and Expenditure :

Account of the public income and expenditure of the United Kingdom, 1833-34; (302.) - - - - - XXXVII. 143

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Public Institutions :

Bill to facilitate the formation and establishment of public institutions for the diffusing of literary and scientific information, including libraries and museums; with commodious halls as places of public meeting for business or entertainment, within such cities, boroughs and towns as may require them for the use and accommodation of their inhabitants; (394. 477.) - - - - - IV. 49. 57

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Public Instruction, Ireland :

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Public Walks :

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Publication of Lectures :

Bill to prevent the publication of Lectures without consent; (546.) - III. 309

Pursers :

Clerks in the navy promoted to the rank of purser, 1834-1835, specifying the period of their servitude, either as captains' clerks or secretaries' clerks, and date of their promotion; (160.) - - - - - XXXVIII. 423

Number of persons on the navy list, 1831 to 1834, with their number, and rates of pay; number of clerks who have been promoted to be pursers, 1830 to 1833; (385.) - - - - - XXXVIII. 399

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Quarter Sessions :

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Real Property :

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Bill for the more speedy return and recovery of, in Ireland; (in 486.) - II. 739

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Reform of Parliament, Scotland :

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Registrar of Court of Chancery. see *Chancery*.

Registrar of Deeds, Middlesex :

Appointment of registrar and deputy, amount of fees received 1830 to 1834, and hours of his attendance at the registry-office ; (67.) - - XXXVII. 669

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Registration of Deeds, Ireland :

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Return showing the receipt and expenditure of the office for the registration of deeds in Dublin, 1834 ; (103.) - - - - - XXXVII. 781

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Regium Donum :

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Return from the court of requests for Southwark and Brixton, of dividends received, amount of stock purchased and sold, expenses of prosecution, defending actions, &c. ; (375.) - - - - - XLVI. 155

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Return of money paid into the court of requests of Westminster as fees, 1830 to 1834 ; security to suitors, nature of ; (231.) - - - - - XLVI. 163

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Number of persons who have been superannuated or retired from customs, excise, stamps, taxes, and post-office, and other revenue departments, 1834—1835 ; name of each person, office, salary, &c. ; number appointed in the same offices for the same period at home and abroad ; (594.) - - - - - XXXVII. 505

Revenue, Public :

Monies received November 1834 to April 1835, under the respective heads of public revenue ; amount of Royal orders and Treasury warrants received by comptroller-general of the Exchequer ; issues made by the Bank ; balance of monies remaining to the account of the Exchequer 5 April 1835 ; (184.) - - - XXXVII. 135

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Correspondence relative to the proposed suspension by the Portuguese government of the treaty of commerce and navigation between Great Britain and Portugal, concluded at Rio de Janeiro, 19th February 1810; (579.) - - - LI. 303

Roads, Ireland :

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Roman-Catholic College. see *Miscellaneous Services, Ireland.*

Roman-Catholic Marriages :

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Rum :

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Russian Dutch Loan :

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Bill for abolishing capital punishments in cases of sacrilege; (245.) - - - I. 289

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Sandown and Deal Castles :

Duties performed by Lord Carrington as captain of Deal Castle; duties of the captain and lieutenant of Sandown Castle; (131.) - - - XXXVII. 615

Sardinia. see *Literary Institutions. Slave Trade.*

Sasine, Registration of Instruments of :

Bill to amend certain Acts of the Parliament of Scotland respecting the registration of instruments of sasine, and other writings affecting heritable property within that part of the United Kingdom; (271. 336. 384.) - IV. 147. 149. 151.

Savings Banks :

Bill to extend to Scotland certain provisions of 9 Geo. 4, to consolidate and amend the laws relating to savings banks, and to consolidate and amend the laws relating to savings banks in Scotland; (273. 337.) - - - - - IV. 153. 179

Saxony. see *Literary Institutions.*

Schools :

Sums of money granted in aid of the erection of schools in England and Scotland, and of model schools in England; stating places in which schools are situated; description of school; amount contributed; (236.) - - - XL. 679
see also *Education. Miscellaneous Services, IV. Miscellaneous Services, Ireland.*

Scott, Mr. see *Plymouth Breakwater.*

Scotland :—For matters relating to *Scotland*, see—

Aberdeen University.	Leith and Newhaven Harbours.
Burghs Commission.	Northern Lighthouses.
Coast Guard.	Reform of Parliament.
Committals.	Sasine.
Courts of Judicature.	Savings Banks.
Debt.	Schools.
Deputy-Lieutenants.	Session, Court of.
Entails.	Sheriff Courts.
Fisheries.	Universities.
Forgery.	Vagrants.
Glasgow.	Warehouses.
Hereditary Revenues.	

Seamen. see *Enlistment.*

Secretary of State. see *Miscellaneous Services, Ireland.*

Secret Service. see *Miscellaneous Services, IV.*

Securities :

Bill to amend laws relating to securities given for considerations arising out of gaming, usurious and certain other illegal transactions; (27.) - - III. 251

Serjeant-at-Arms :

Copy of minute of Commissioners of the Fee Fund of the House of Commons; Treasury Minute thereon; relating to the retirement of Henry Seymour, Serjeant-at-Arms; (356.) - - - XXXVII. 413

Session Court of, Scotland :

Bill to improve and regulate the forms of process, and diminish the delay and expenses of procedure in the courts of judicature in Scotland, and in appeals from the Court of Session to the House of Lords; (327.) - - - IV. 227

Bill for making certain alterations and reductions in the establishment of clerks and officers attached to the Court of Session in Scotland, and to diminish the expense of judicial procedure in that court; (25.) - - - IV. 183

Bill to improve the present system of the Court of Session, to regulate the number, power and duties of judges, clerks, &c., and of the courts of teinds and justiciary; number and duties of the clerks, &c. of the said courts; to abolish fee funds and court dues, &c.; (281.) - - - IV. 193

Return of the number of causes instituted and decided in the Court of Session, 1834; (68.) - - - XLVI. 465

Number of clerks belonging to the Court of Session; days of the year in which they perform duty; number of clerks denominated judges' clerks; nature and extent of their duties; by whom appointed; salary, or other emoluments; (157.) - - - XLVI. 467

Return from the Court of Session, Jury and Justiciary courts, and Commission of Teinds, of the number of clerks and other persons receiving fees and emoluments; application of fee funds; compensations or retired allowances, &c.; authority under which granted, &c.; number of principal clerks, &c.; salaries and emoluments, &c.; (504.) - - - XLVI. 489

Shannon :

Bill for the improvement of the navigation of the river Shannon; (569.) - IV. 427

Sheriffs :

Bill for removing doubts as to the declaration to be made, and oaths to be taken, by persons appointed to the office of sheriff of any city or town being a county of itself; (417.) - - - III. 541

Bill for facilitating the appointment of sheriffs in Ireland, and for the more effectual audit and passing of their accounts, &c. (in 486.) - - - II. 739

Sheriffs' accounts audited by Commissioners for Auditing Public Accounts, under 3 & 4 Will. IV. c. 99, for facilitating the appointment of sheriffs, and for the more effectual audit and passing of their accounts; (204.) - - - XLVI. 227

Sheriff Courts, Scotland :

- Bill to explain and regulate the jurisdiction of the sheriff courts of Scotland, and to transfer the benefits of jury trial in civil causes to a limited amount to the said courts; also to regulate the duties and appointments of sheriffs, principal and substitute, and the appointment of procurators fiscal; (282.) - - - IV. 389
- Bill for extending the jurisdiction of sheriffs in Scotland to the process of cessio bonorum; (496.) - - - - - II. 313
- Offices, business, &c. held or followed by sheriff substitutes; number who are members of the faculty of advocates, &c.; cases dependent in each sheriff's court, and how long in dependence; average time of cases; similar return as to sheriffs' principal; cases determined during vacations in each sheriff court; (545.)
XLVI. 501
- Appointment of every sheriff-clerk and steward-clerk in Scotland; fees derived 1830 to 1834; deputies nominated, and by whom duties performed; statement of other offices held and incomes derived therefrom; (602.) - - - XLVI. 543
see also *Debts*.

Shipping :

Admeasurement :

- Bill to regulate the admeasurement of the tonnage and burthen of the merchant shipping of the United Kingdom; (462.) - - - - - III. 431
- Copy of a letter addressed by G. F. Young, M. P., to the President of the Board of Trade, and of a correspondence with the Board of Admiralty, upon the Tonnage Admeasurement Bill; (567.) - - - - - XLVIII. 531

Colonies :

- Tonnage of United Kingdom which entered inwards and cleared outwards from British colonies, 1833 to 1834, distinguishing that portion which entered or cleared to and from foreign countries; (125.) - - - - - XLVIII. 537

Entered inwards and cleared outwards :

- Number and tonnage of vessels, distinguishing countries, which entered inwards and cleared outwards 1834, compared with the preceding year; distinguishing vessels in ballast, and those employed in the intercourse between Great Britain and Ireland; (in 5.) - - - - - XLVIII. 205

Hull :

- Number of vessels entered inwards at the port of Hull, 1834; distinguishing countries to which they belonged; (77.) - - - - - XLVIII. 539

Ireland :

- Number of vessels entered inwards and cleared outwards at each port of Ireland, 1830 to 1834, distinguishing registered vessels; British and Foreign ships, steam-boats, colliers and coasters trading from and to Great Britain, &c. (107.)
XLVIII. 541

Memel and Dantzic to London :

- Names and tonnage of all ships entered inwards in the port of London, from Memel and Dantzic, in 1835, with date of each entry; distinguishing British from Foreign ships; (454.) - - - - - XLVIII. 547

Mortgages :

- Number of ships mortgaged wholly or in part in London, Liverpool, Newcastle, Sunderland and Hull, specifying number at each port, 1833 and 1834; (126.)
XLVIII. 535

Stockton-on-Tees :

- Vessels entered inwards and cleared outwards, 1820 to 1834, at Stockton-on-Tees; number of vessels registered belonging to the said port; (in 344.) XLVIII. 549

Vernon and other Ships :

- Extracts of reports which have been received at the Admiralty of the sailing qualities of His Majesty's ship Vernon, and his other ships of war, which have been built by His Majesty's present surveyor of the navy; (319.) - - - XXXVIII. 447
see also *Steam Vessels*.

Shrewsbury and Holyhead Roads :

- Annual Report of Commissioners of Income and Expenditure, and Report of J. Provis; (85.) - - - - - XXXVI. 331

Sierra Leone. see *Miscellaneous Services*, V.

Silk and Wine :

Report on commercial relations between Great Britain and France ;

XXXVI. 441

Sinecures :

Report from the Select Committee appointed to inquire into sinecure offices in the Colonies, and into returns of compensations for sinecure offices, and civil offices abolished ; (507.) - - - - - XVIII. 441

Copies of minutes or other proceedings of the Board of Treasury for carrying into effect the recommendations in the Report of the Select Committee on sinecure offices, in the last session ; (153.) - - - - - XXXVII. 443

Slavery :

Orders in Council declaring that adequate and satisfactory provision has been made by law, in Jamaica and British Guiana, for giving effect to the Act for abolition of slavery ; (42.) - - - - - LI. 273

Order in Council, 31 July 1835, declaring that adequate and satisfactory provision had been made by law in the Islands of Antigua, Bermuda, Bahamas, St. Christopher, Dominica, Grenada, St. Lucia, Trinidad, Mauritius, and the Cape of Good Hope, for giving effect to 3 & 4 Will. IV. c. 73, for the abolition of slavery, &c. ; (514.)

LI. 269

Order in Council declaring that adequate and satisfactory provision had been made by law in the British settlements at Honduras, for giving effect to the Act of Parliament for the abolition of slavery ; (561.) - - - - - LI. 281

Papers presented to Parliament by His Majesty's command, in explanation of the measures adopted by His Majesty's Government for giving effect to the Act for the abolition of slavery throughout the British Colonies ; (177. 278.)

L. 1. 121. 513

Copy of despatch forwarded to the governors of the West India Colonies, respecting fugitive slaves ; (253.) - - - - - LI. 285

Copies of all population returns received since the last were printed, in continuation of No. 700, 1833 ; (420.) - - - - - LI. 289

Local magistrates who have been appointed special magistrates ; time of their appointment ; by whom appointed ; whether stated to be planters, attorneys, or connected with colonial property ; (419.) - - - - - LI. 291

Copy of contract for the loan of 15,000,000 *l.* to be raised under the authority of 3 & 4 Will. IV. for the compensation to the owners of slaves ; with proceedings and tenders respecting the same ; (463.) - - - - - LI. 295

Copies of any instructions given relative to compensations claimed for negroes who had not been registered as slaves ; (591.) - - - - - LI. 299

Slave Commissioners. see *Miscellaneous Services*, II.

Slave Trade :

Bill to carry into further execution the provisions of an Act, 3 & 4 Will. IV. for compensating owners of slaves upon the abolition of slavery ; (490.) - IV. 435

Bill for carrying into effect the treaty with the King of the French and the King of Denmark, for suppressing the slave trade ; (549.) - - - - - IV. 443

Bill for carrying into effect a treaty with the King of the French and the King of Sardinia, for suppressing the slave trade ; (550.) - - - - - IV. 463

Additional article to the treaty concluded at Stockholm, November 6, 1824, between Great Britain and Sweden, for the prevention of the traffic in slaves, signed at Stockholm, June 1, 1835. - - - - - LI. 315

Treaty between His Majesty, the King of the French, and King of Sardinia, for more effectual suppression of the slave trade. - - - - - LI. 327

Treaty between His Majesty, the King of the French, and the King of Denmark, for the more effectual suppression of the slave trade. - - - - - LI. 339
see also *Treaties*.*Small Debts.* see *Debts*.*Snuff.* see *Tobacco*.

Soap :

Quantity made in each town, 1834 ; quantity exported ; allowances and drawbacks to manufacturers ; soap exported to Ireland ; names of persons convicted of defrauding the revenue ; (190.) - - - - - XLVIII. 551

South Sea Duties :

Amount of guarantee fund ; sums paid into the Bank, distinguishing amount raised by duty on goods from that on tonnage, &c. ; (124.) - - - XXXVII. 675

Southwark. see *Requests, Court of.*

Spain. see *Foreign Enlistment. Literary Institutions. Treaties.*

Speaker of the House of Commons. see *Miscellaneous Services, VI.*

Special Constables. see *Constables.*

Spirits :

Bill to exempt certain retailers of spirits to a small amount from the additional duties on licences, and to discontinue the excise survey on wine, and the use of permits for the removal thereof; (529.) - - - - - III. 313
Seventh Report of Commissioners of Excise Inquiry, [on British Spirits, Part II.]; XXX. 33

Number of excise retail spirit licences issued under 4 & 5 Will. IV. c. 75, specifying number of new licences, &c.; also, number of houses assessed at an increased rate under the various Acts; (269.) - - - - - XLVIII. 579

Sums due to the excise under 4 Geo. 4, and 1 Will. 4, for spirits being deficient in charge, and for additional duties that remained unpaid April 1835; (325.) XLVIII. 577

Number of gallons of all sorts which paid duty for home consumption, 1833-34; specifying quantities which paid duty in each kingdom; rate of duty; amount in each country; decrease or increase in each kingdom; (453.) - XLVIII. 575

Total quantity distilled in each country, distinguishing quantity produced from malt, 1834.—2. Quantity on which duty was paid for home consumption, rate per gallon, &c.—3. Number of gallons imported from and to each country respectively, quantity remaining in bond, &c.—4. Proof gallons of malt whiskey imported into England, 1833-34.—5. Quantity of foreign spirits, distinguishing sorts that paid duty 1834; rate of duty; amount thereof, distinguishing each kingdom.—6. Proof gallons of British brandy and spirits of wine permitted out of rectifiers' stocks, 1834; (310.) - - - - - XLVIII. 565

(1.) Quantity of spirits, manufacture of Guernsey and Jersey, imported 1833-34; quantity admitted to home consumption, rate of duty, &c.; quantity remaining in bond 5 January 1835; (in 469.) - - - - - XLVIII. 559

(2.) Colonial proof spirits imported into each kingdom 1834, showing from which colonies imported; quantity admitted for home consumption; rate per gallon; amount of duty; (in 469.) - - - - - XLVIII. 559

(3.) Foreign proof spirits, distinguishing sorts, imported into each of the three kingdoms, 1834; quantity paid duty for home consumption; rate per gallon; amount of duty; (in 469.) - - - - - XLVIII. 559

(4.) Foreign and colonial spirits, sweetened or compounded, specifying different denominations, imported 1834; quantity admitted for home consumption; rate of duty, &c. (in 469.) - - - - - XLVIII. 559

Number of proof gallons of spirits in stock of distillers, 1833-34; number of proof gallons permitted out of stock, 1833-34; (in 581.) - - - - - XLVIII. 571

Number of gallons of rum, brandy, geneva, and other foreign, colonial or Guernsey spirits in bond 5 January 1826, and imported since that period; total quantity which had paid duty or remained in bond each year; (in 581.) - XLVIII. 571

Total gallons of proof spirits distilled in England, Scotland and Ireland, distinguishing malt from unmalted grain; total of each sort in the United Kingdom, 1834; (in 595.) - - - - - XLVIII. 557

Gallons of proof spirits arising from separate charges on wash, low wines, &c. for quarter ending 5 April 1835; (in 595.) - - - - - XLVIII. 557

Quantity distilled in each kingdom; exported from Scotland to England or Ireland, &c. and which paid duty for home consumption, 1834-35; rate and amount of duty; increase and decrease, &c.; (in 595.) - - - - - XLVIII. 557

Stafford :

Bill to exclude the borough of Stafford, in the county of Stafford, from sending burgesses to serve in Parliament; (256.) - - - - - II. 669

Stamps :

Bill to consolidate certain offices in the collection of the revenues of stamps and taxes, and to amend the law relating thereto; (339.) - - - - - IV. 485

Total produce of the duties of stamps, 1832 to 1834, showing the variations in amount which were calculated each year, by alteration in the rates of duty, comparing actual produce with such estimated variations; (in 192.) XXXVII. 679

Stamps—*continued.*

Gross and net amount of stamp duties repealed, expired or reduced, 1833-34, and of those imposed for that period; estimate of reduction or increase of duty; (in 194.) XXXVII. 687

Names of distributors of stamps in Ireland, and balances in their hands; amount of each distributor's receipts, 1834; salary and emoluments of each distributor; (265.) - - - - - XXXVII. 695

Stamps and Assessed Taxes :

Bill to alter certain duties of stamps and assessed taxes, and to regulate the collection thereof; (558.) - - - - - IV. 499

Stamps and Taxes Prosecutions :

Dwelling-houses in each county assessed to the window duty; proceedings against persons for non-payment of assessed taxes; (150.) - - - XXXVII. 713

State Paper Office. see *Miscellaneous Services*, II.

Stationery, &c. for Public Departments. see *Miscellaneous Services*, IV.

Statistical Tables :

Tables of the revenue, population, commerce, &c. of the United Kingdom and its dependencies, colonies, &c. - - - - - XLIX. 693

Statute Law :

Report of Commissioners appointed to inquire into the consolidation of the statute law; (406.) - - - - - XXXV. 361

Steam Vessels :

Bill to regulate the navigation of steam vessels upon the river Thames; (458.) IV. 509

Bill for the regulation of the pilotage of steam vessels; (347.) IV. 517. 521

Number of vessels propelled by steam, employed under orders of the Post-office, since the period when first used; stating tonnage, cost and outfit of each, &c. (482.) - - - - - XLVIII. 523

Returns relating to the steam vessels in the service of the Post-office; (355.) XLVIII. 527

Ships or vessels navigated by steam, belonging to any port in Great Britain, or registered therein; number of ships or vessels now building calculated to be navigated by steam; (470.) - - - - - XLVIII. 581

Steevens', Dr., Hospital. see *Miscellaneous Services*, Ireland.

Steward Clerks. see *Sheriff Clerks*.

Stipendiary Magistrates. see *Miscellaneous Services*, VI.

Stockton-upon-Tees :

Number of vessels entered inwards and cleared outwards, 1820 to 1834; number registered belonging to that port; amount of customs; and Tees navigation dues on all classes of vessels; (344.) - - - - - XLVIII. 549

Stoke Poges. see *Poor*.

Sugar and Cotton :

Declared value of cotton manufactures and cotton yarn, and refined sugar, exported from Great Britain 1835; (471.) - - - - - XLVIII. 89

Sunderland. see *Shipping*.

Superannuation :

Bill to authorize the granting of superannuation allowances to the Commissioners and officers of the courts for the relief of insolvent debtors in Ireland; (506.) III. 267

Number of persons who have been superannuated or retired from public departments, 1834-35; name of each person; office held; salary, &c.; number appointed to offices at home and abroad for the same period; (594.) - - - XXXVII. 505

Compensations granted as retired allowances in public offices, &c. which remained payable 1 January 1834; amount granted 1834; amount ceased 1834; total amount remaining payable; (88.) - - - - - XXXVII. 467
see also *Miscellaneous Services*, III.

Supply :

Amount of the several grants for supply of services which remained unissued 5 Jan. 1835; savings which may be deducted therefrom; ways and means appropriated to those services; balance remaining as surplus of grants; (115.)

XXXVII. 179

Surgeons :

Number of Surgeons in the navy, 1831 to 1834; number of assistant surgeons appointed, and assistants promoted to be surgeons; (385.) - XXXVIII. 399

Sweden. see *Literary Institutions.* *Slave Trade.*

Symonds, Mr. see *Pembroke Dockyard.*

T.

Tanjore Commission :

Correspondence between the India Board and Court of Directors, and between the President of the India Board and Chairman of the Court of Directors, with reference to supplying the vacancy in the Commission, &c.; (588.) - XXXIX. 175

Copy of deed of agreement of 11 February 1834, between the East India Company and creditors of Ameer Sing, late Rajah of Tanjore; correspondence between the Commissioners, Board of Control and the East India Company; salaries and attendance of Commissioners; amount of claims decided or undecided, and for what reasons; (597.) - - - - - XXXIX. 183

Taxes :

Bill for consolidating certain offices connected with the collection of taxes; (in 558.) IV. 449

Total produce of duties of customs, excise, stamps and taxes respectively, 1833-34, showing the variations in the amount thereof which were calculated to be made in each of the last three years by alteration in the rates of duty, comparing the actual produce with such variations; (192.) - - - - XXXVII. 679

Gross and net amount of taxes repealed, expired or reduced, 1833 to 1834, and taxes imposed during the same period, showing articles on which alterations were made; estimate of amount of reduction or increase; (194.) - XXXVII. 687
see also *Assessed Taxes.*

Taxes, Receivers of :

Salaries, allowances, or other emoluments, in any manner accruing to the several receiving officers under various Acts, for 1834; (111.) - - XXXVII. 715

Tea :

Bill to impose certain duties on tea; (474.) - - - - - II. 135

Teinds, Court of. see *Session, Court of.*

Thamès. see *Steam Navigation.*

Thames Tunnel :

Copy of Treasury Minute, October 1834, authorizing an advance of 30,000 *l.* to the Thames Tunnel Company; (448.) - - - - XXXVIII. 577

Theatres. see *Lord Chamberlain's Office.*

Timber Duties :

Bill to provide for the better collection of the duties on wood, the produce of places in Europe; (132.) - - - - - IV. 525

Report from the Select Committee appointed to take into consideration the duties on timber; (519.) - - - - - XIX. 1

Cargoes shipped from the north of Europe to ports in British America, and imported into the United Kingdom; names of vessels, amount of tonnage, &c.; quantity of timber imported, 1834; (60.) - - - - XLVIII. 585

Timber Fund. see *Canada.*

Tin :

Quantity imported into the United Kingdom, 1834; distinguishing from what countries imported;—Also, quantity exported from the United Kingdom, 1834; distinguishing countries to which exported; (166.) - - - XLVIII. 35

Tithes :

England :

- Bill for the more easy recovery of tithes ; (498.) - - - - IV. 527
 Bill for the amendment of the law as to the tithing of turnips in certain cases ;
 (497.) - - - - - IV. 529

Permanent yearly payment of the tithes of the following parishes : Bexhill, Ewhurst, Northiam and Ore, in the county of Sussex, as stated in the Report of Commissioners of Ecclesiastical Revenue ; (582.) - - - - XLVII. 7

Ireland :

Bill to suspend proceedings for recovering payment of certain instalments of the money advanced under the Acts for establishing tithe compositions in Ireland ; (576.) - - - - - IV. 531

Calculation of expense which would have devolved on the public in carrying into effect the provisions of the Tithe Bill, 1834 ; repayment of instalments under the Million Act ; appropriation of the perpetuity purchase fund in diminution of the charge, with explanatory notes, &c. (169.) - - - - XLVII. 23

Correspondence between Rev. T. Locke and the Secretary for Ireland, 1834, relative to the collection of tithes payable to Mr. Locke ; also, correspondence between the Secretary and Commander of the Forces on that subject ; (119.) - XLVII. 133

Proceedings of investigation at Armagh of transactions which took place at Keady, between police and country people, on collecting arrear of tithe due to J. Blacker ; copy of inquest, and documents connected therewith ; (179.) - XLVII. 99

Total amount of composition for tithe in Ireland, distinguishing lay and ecclesiastical ; compositions entered into since 1823 ; amount for which landlords have made themselves responsible by accepting 15 per cent. reduction ; (405.)

XLVII. 79

Scotland :

Sums received annually by the minister of the parish of North Leith, whether as stipend, feu duty, rent of houses, tithe of fish, allowance for manse, or any other emoluments, 1832 to 1834 ; (317.) - - - - XLVII. 181

Tobacco and Snuff :

Quantity of manufactured tobacco, cigars and snuff, which paid duty 1834, distinguishing England, Scotland and Ireland ; quantity imported from United States and other parts, distinguishing from whence imported, &c. ; (193.)

XLVIII. 587

Tonnage Admeasurement. see *Shipping*.

Toulonese and Corsican Emigrants. see *Miscellaneous Services*, III.

Townland Boundaries. see *Miscellaneous Services*, Ireland.

Trade, Office of. see *Miscellaneous Services*, II.

Trades Unions. see *Political Unions*.

Treasurer of the Navy :

Bill for consolidating the offices of paymaster-general, paymaster and treasurer of Chelsea Hospital, treasurer of the navy, and treasurer of the ordnance ; (494.)

III. 603

Treasurers, Ireland. see *County and City Treasurers*.

Treasury. see *Miscellaneous Services*, II.

Treaties :

Additional articles to the treaty concluded at London, April 1834, between His Majesty, the Queen Regent of Spain, the King of the French, and the Duke of Braganza, Regent of Portugal. - - - - - LI. 307

Convention between His Majesty and the State of Venezuela - - - - LI. 319

Trinidad. see *Slavery*.

Trinity House :

Copy of observations addressed to the Lords of the Treasury by the Corporation of Trinity House, on the report of the Select Committee of the House of Commons on Lighthouses ; (164.) - - - - - XLVIII. 223

Rules and regulations established, 1834, in relation to admission of younger brethren ; measures adopted in consequence of recommendations of Select Committee ;—Also, returns relating to pensions, &c. ; (371.) - - - - XLVIII. 591

see also *Lighthouses*.

Turnpikes :

- Bill to exempt carriages carrying manure from toll ; (203.) - - - III. 409
 Bill for continuing for a limited time the several Acts for regulating the turnpike roads in Great Britain, which will expire the next Session of Parliament ; (436. 484.) - - - - - IV. 535. 537
 Bill to authorize the consolidation of the trusts of turnpike roads in that part of Great Britain called England ; (435.) - - - - - IV. 539
 Ninth Report of Commissioners of the Metropolis Turnpike Roads North of the Thames, appointed under 7 Geo. 4, c. 142 ; (208.) - - - XXXVI. 319

Turnpike Road Bill Fees. see *Miscellaneous Services*, IV.

Tyrone. see *County Treasurers*.

U.

Universities. see *London University*.

Universities, Scotland :

- Minutes of Commissioners Treasury relative to a grant, 1826, from the hereditary revenues, in consequence of applications from, and for the purpose of repairing or rebuilding certain universities in Scotland ; (326.) - - - XXXVIII. 579

University of Aberdeen. see *Aberdeen University*.

University of Glasgow. see *Glasgow*.

University Professors. see *Miscellaneous Services*, II.

Unstamped Publications :

- Information, evidence and conviction before Mr. Chambers of Joseph Forster, for selling unstamped publications ; copy of memorials in favour of J. Forster addressed to Lord Melbourne, &c. ; (555.) - - - - - XLVI. 243

V.

Vaccination :

- Copy of the last Report from the National Vaccine Establishment to the Secretary of State for the Home Department ; (83.) - - - - - XXXVII. 677
 see also *Miscellaneous Services*, III.

Vagrants :

- Number of persons that have been removed to Ireland, Scotland and the Isle of Man, &c., under 3 & 4 Will. IV. c. 40, from each county in England, 1834 ; together with amount of expenditure charged on each county-rate in consequence of such removals ; (171.) - - - - - XLVII. 471

Van Dieman's Land. see *Emigration*. *Miscellaneous Services*, IV.

Ventilation of the Houses of Parliament. see *Houses of Parliament*.

Venezuela. see *Treaties*.

Vernon :

- Reports received at the Admiralty of the sailing qualities of His Majesty's ship Vernon, and his other ships of war which have been built by His Majesty's present surveyor of the navy ; (319.) - - - - - XXXVIII. 447

Vestries :

- Bill to amend an Act, 58 Geo. 3, for regulating parish vestries, so far as to afford Westminster, and certain other parishes within the bills of mortality, in the counties of Middlesex and Surrey, an exemption which is extended to London and Southwark ; (248.) - - - - - IV. 555

Victualling Houses :

- Bill for the better regulation and management of inns, ale-houses and victualling-houses ; (223. 291.) - - - - - III. 257. 261

W.

Wages :

- Bill for restraining in Scotland the arrestment of wages ; (26. 413.)
 II. 301. 311

Walmer Castle :

- Return of sums annually expended for repairs or other incidental charges, 1825 to 1834, on Walmer Castle ; (118.) - - - - - XXXVIII. 551

Waltham Abbey. see *Gunpowder*.

Warehouses, Bonding :

Treasury minute directing the privilege of special security to be withdrawn from certain warehouses in Scotland ; (359.) - - - - - XLVIII. 17

Weights and Measures :

Bill to repeal an Act 4 & 5 Will. IV. relating to weights and measures, and to make other provisions instead thereof ; (308. 489.) - - - - - IV. 625. 645

Clauses to be proposed by Lord George Bentinck ; (0. 76.) - - - - - IV. 667

Report from the Select Committee on the Weights and Measures Act, with minutes of evidence ; (292.) - - - - - XVIII. 489

Number of certificates given, quantity of weights and measures stamped, sums received, number of false weights and measures rejected, by inspectors of county of Middlesex, to 1st March 1835 ; (73.) - - - - - XLVIII. 659

Inspectors of weights and measures appointed under Act of last Session, and of any other inspectors of weights and measures now holding that office under the provisions of any former Acts ; (136.) - - - - - XLVIII. 597

Copies of instructions given by magistrates at quarter sessions for the several counties of England and Wales, to inspectors of weights and measures appointed under provisions of the Act of last Session ; (172.) - - - - - XLVIII. 631

Western Australia :

Bill to continue an Act, 10 Geo. 4, for providing for the government of His Majesty's settlements in Western Australia, on the western coast of New Holland ; (274.)
1. 5

Returns of the population, revenue, exports, produce, stock, &c. of the settlements in Western Australia, 1834 ; (422.) - - - - - XXXIX. 759

West Indies. see *Dominica. Miscellaneous Services, V.*

Westminster :

Court Leet :

Amount received by the court leet and court of burgesses for the city and liberty of Westminster, 1800 to 1834, as fines for the non-service of the offices of constable, &c. &c. ; appropriation of the same, &c. ;—Also, of money received by the court of amerciaments, &c. ; (230.) - - - - - XLVI. 159

Court of Requests :

Return of money paid into the court as fees, 1800 to 1834, showing security suitors may have for money paid into said court by their debtors ; (231.) - XLVI. 163

Westmoreland Lock Hospital. see *Miscellaneous Services, Ireland.*

Wexford Magistrates :

Correspondence between Lord-lieutenant, &c. and the Chief Under Secretary for Ireland, relating to the appointment of a stipendiary magistrate ; police reports of the county, so far as the same relate to the state of the county in respect of tranquillity, &c. ; (305.) - - - - - XLV. 545

Whiskey :

Total number of proof gallons of malt whiskey imported into England from Scotland, 1834 ; (in 310.) - - - - - XLVIII. 565

Whitehall Chapel. see *Miscellaneous Services, I.*

Wills :

Bill for the amendment of the laws with respect to wills ; (14. 52.) - IV. 669. 681

Returns, 1832–33, from the several provincial, diocesan and archidiaconal courts of England and Wales of the number of unattested wills, and of wills attested by one witness only, in each of such courts ; numbers proved respectively under each scale of the probate duty ; (616.) - - - - - XLVI. 231
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Windows :

Account of the amount of window duty paid by 12 towns which contribute severally the largest amounts ; (110.) - - - - - XXXVII. 717

Wine :

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